CASE INDEX

A

Ackley v. Niles City Park Comm'n, 1277
Adams v. Morrison, 448
Akerman v. City of Lima, 651, 678, 783
Alabama v. King & Boozer, 1490
Alcorn v. Cincinnati Traction Co., 1400, 1402, 1412, 1417, 1471, 1477, 1478
Alcorn v. Deckebach, 1178, 1402, 1413, 1417, 1423, 1424, 1455, 1456
Alice Realty, Inc. v. City of Columbus, 818
Alkire v. Cashman, 31, 81, 1405, 1509
Allen v. City of Cincinnati, 818, 1169
Allion v. City of Toledo, 657, 663
Allison v. City of Akron, 664, 667
Alter v. City of Cincinnati, 1260, 1298, 1300, 1414
American Cancer Soc'y, Inc. v. City of Dayton, 22, 669
American Comm. on Maternal Welfare v. City of Cincinnati, 654, 700
American Steel & Wire Co. v. Board of Revision, 1189
Anderson v. Brown, 698, 699, 763, 765, 806, 1113, 1163, 1215
Andrews v. Village of Georgetown, 481, 1511
Angell v. City of Toledo, 407, 410, 412, 413, 835, 1158, 1159, 1185, 1186, 1209, 1210, 1213, 1218, 1219, 1220, 1222, 1223, 1227, 1228, 1234, 1236, 1238, 1243, 1247, 1552
Anthony Carlin Co. v. Halle Bros. Co., 480
Antonelli v. City of Youngstown, 660
Armbruster v. City of Middletown, 388, 448
Arnold v. City of Akron, 418, 1279
Atwell v. Board of Park Comm'rs, 84, 1195, 1505
Austin Square, Inc. v. Board of Zoning Appeal, 39, 831
Auxter v. City of Toledo, 375, 655, 696, 697, 699, 717, 765, 1113
Avery v. United States, 421
Azar v. City of Akron, 690

B

Babin v. City of Ashland, 430, 433, 434, 435, 1272, 1284, 1484
Baker v. City of Cincinnati, 1167, 1187
Baldwin v. City of Akron, 384
Baldwin v. City of Newark, 1110, 1114, 1117, 1120, 1141, 1143, 1541, 1542
Ball v. Village of Reynoldsburg, 1395
Baltimore & O.R.R. v. DeLeone, 653, 795, 1147
Bank of Chillicothe v. Town of Chillicothe, 13, 416, 1159
Banks v. Baltimore & O.R.R., 653, 664, 795, 1147
Barry v. City of Cleveland, 497
Bauman v. State *ex rel.* Underwood, 36, 62, 66, 827, 830, 831, 832, 834
Baxter v. Village of Manchester, 1277, 1473
Bazell v. City of Cincinnati, 1259, 1266, 1286, 1292, 1293, 1294, 1302, 1547, 1548
Beacon Journal Publishing Co. v. City of Akron, 63, 66, 67, 68, 401, 402, 403, 443
Beal v. City of Elyria, 1546, 1547, 1548
Beck v. City of Cincinnati, 392, 396, 1246, 1276
Bedford Sportspark v. Leslie, 1210, 1231, 1232
Bellaire Goblet Co. v. City of Findlay, 1302, 1417

CASE INDEX

A

Ackley v. Niles City Park Comm'n, 1277
Adams v. Morrison, 448
Akerman v. City of Lima, 651, 678, 783
Alabama v. King & Boozer, 1490
Alcorn v. Cincinnati Traction Co., 1400, 1402, 1412, 1417, 1471, 1477, 1478
Alcorn v. Deckebach, 1178, 1402, 1413, 1417, 1423, 1424, 1455, 1456
Alice Realty, Inc. v. City of Columbus, 818
Alkire v. Cashman, 31, 81, 1405, 1509
Allen v. City of Cincinnati, 818, 1169
Allion v. City of Toledo, 657, 663
Allison v. City of Akron, 664, 667
Alter v. City of Cincinnati, 1260, 1298, 1300, 1414
American Cancer Soc'y, Inc. v. City of Dayton, 22, 669
American Comm. on Maternal Welfare v. City of Cincinnati, 654, 700
American Steel & Wire Co. v. Board of Revision, 1189
Anderson v. Brown, 698, 699, 763, 765, 806, 1113, 1163, 1215
Andrews v. Village of Georgetown, 481, 1511
Angell v. City of Toledo, 407, 410, 412, 413, 835, 1158, 1159, 1185, 1186, 1209, 1210, 1213, 1218, 1219, 1220, 1222, 1223, 1227, 1228, 1234, 1236, 1238, 1243, 1247, 1552
Anthony Carlin Co. v. Halle Bros. Co., 480
Antonelli v. City of Youngstown, 660
Armbruster v. City of Middletown, 388, 448
Arnold v. City of Akron, 418, 1279
Atwell v. Board of Park Comm'rs, 84, 1195, 1505
Austin Square, Inc. v. Board of Zoning Appeal, 39, 831
Auxter v. City of Toledo, 375, 655, 696, 697, 699, 717, 765, 1113
Avery v. United States, 421
Azar v. City of Akron, 690

B

Babin v. City of Ashland, 430, 433, 434, 435, 1272, 1284, 1484
Baker v. City of Cincinnati, 1167, 1187
Baldwin v. City of Akron, 384
Baldwin v. City of Newark, 1110, 1114, 1117, 1120, 1141, 1143, 1541, 1542
Ball v. Village of Reynoldsburg, 1395
Baltimore & O.R.R. v. DeLeone, 653, 795, 1147
Bank of Chillicothe v. Town of Chillicothe, 13, 416, 1159
Banks v. Baltimore & O.R.R., 653, 664, 795, 1147
Barry v. City of Cleveland, 497
Bauman v. State *ex rel.* Underwood, 36, 62, 66, 827, 830, 831, 832, 834
Baxter v. Village of Manchester, 1277, 1473
Bazell v. City of Cincinnati, 1259, 1266, 1286, 1292, 1293, 1294, 1302, 1547, 1548
Beacon Journal Publishing Co. v. City of Akron, 63, 66, 67, 68, 401, 402, 403, 443
Beal v. City of Elyria, 1546, 1547, 1548
Beck v. City of Cincinnati, 392, 396, 1246, 1276
Bedford Sportspark v. Leslie, 1210, 1231, 1232
Bellaire Goblet Co. v. City of Findlay, 1302, 1417

Bender v. New York Cent. R.R., 653, 663, 664, 795, 1147
Benjamin v. City of Columbus, 18, 40, 44, 45, 46, 47, 653, 654, 661, 671, 673, 692, 694, 719, 720, 724, 799, 1125
Bennett v. Evatt, 1189, 1200
Benua v. City of Columbus (S.Ct.), 413, 1185, 1186, 1210, 1221, 1223, 1225, 1227, 1229, 1230, 1231, 1233, 1235, 1236, 1238, 1240
Benua v. City of Columbus (Ct. App.), 413, 1185, 1186, 1210, 1221, 1225, 1238
Berman v. Parker, 425
Berry v. City of Columbus, 414, 415, 481, 1182, 1203, 1249, 1251, 1253
Biechele v. City of Sandusky, 1237
Billings v. Cleveland Ry., 14, 15, 17, 19, 21, 33, 34, 36, 46, 48, 49, 61, 371, 372, 374, 466, 476, 477, 780, 841, 844, 1392, 1407, 1412, 1469, 1483, 1500
Billington v. Cotner, 379, 380, 382, 384
Bising v. City of Cincinnati, 401, 402, 404
Blackburn v. Norman Estates, Inc., 16, 822, 833
Blacker v. Wiethe, 1516, 1517
Blancke v. New York Cent. R.R., 653
Bloom v. City of Xenia, 12, 650, 783
Board of County Comm'rs v. City of Norwood, 1277
Board of County Comm'rs v. Public Util. Comm'n, 848, 1481, 1482
Board of Educ. v. Board of Educ., 1520
Board of Educ. v. City of Columbus, 26, 29, 30, 83, 1130, 1145, 1178, 1400, 1401, 1413, 1417, 1449, 1456, 1517, 1536
Board of Educ. v. City of Toledo, 1528
Board of Educ. v. City of Wellston, 1413, 1456, 1536
Board of Educ. v. Proprietors of Akron Rural Cemetery, 426
Board of Educ. v. Village of Willard, 1413, 1456, 1536
Board of Educ. of Indian Hill v. Board of Educ. of Hamilton County, 493
Board of Health v. City of St. Bernard, 456, 1541
Board of Health v. State *ex rel.* O'Wesney, 809, 1110, 1115, 1117, 1141, 1144, 1518, 1541, 1542
Board of Park Comm'rs v. Board of Tax Appeals, 1191, 1192, 1193
Board of Park Comm'rs v. Budget Comm'n, 1246
Board of Park Comm'rs v. City of Bay Village, 1539
Boesch v. City of Dayton, 817
Bond v. Littleton, 62, 449, 452, 463, 1136, 1509
Bonebrake v. Wall, 385
Branahan v. Cincinnati Hotel Co., 480, 818
Brannon v. City of Wilmington, 794
Breard v. City of Alexandria, 800
Britt v. City of Columbus, 40, 427, 1127, 1423, 1427, 1429, 1460, 1527, 1530, 1553
Broad-Miami Co. v. Board of Zoning Adjustment, 25, 827, 831, 838, 1129
Bronson v. Village of Oberlin, 30
Brown v. City of Cle Elum, 42, 85, 427
Browne v. Village of Ripley, 1277
Brubaker v. Montgomery County Bd. of Elections, 1520
Brunner v. Rhodes, 81, 401, 406, 456, 1117, 1141, 1541
Bruscino Development, Inc. v. Cummings, 402, 403, 829
Buchanan Bridge Co. v. Campbell, 1280
Budget Comm'n v. Board of Tax Appeals, 1246
Burckholter v. Village of McConnellsville, 725
Burrows v. City of Warren, 1277
Burt v. City of Cleveland, 1303
Butler v. Karb, 1388, 1395, 1418, 1447, 1448, 1452, 1453, 1454, 1462, 1463, 1474, 1558

Buzek v. Stewart, 1268, 1271, 1492, 1496, 1498

C

Cahn v. Guion, 490, 663
C.A. King & Co. v. Horton, 655
Caldwell v. Marvin, 1279
Callen v. Columbus Edison Elec. Light Co., 464
Cambridge City School Dist. v. Guernsey County Budget Comm'n, 1199
Carmelite Sisters v. Board of Review, 1195
Carnabuci v. City of Norwalk, 829
Carney v. City of Cleveland, 1197
Carney v. Ohio Turnpike Comm'n, 1195, 1196, 1197
Carpenter v. City of Cincinnati, 34, 466, 1469
Carson v. Roane-Anderson Co., 1502
Casey v. City of Youngstown, 1141, 1142, 1143, 1144, 1541
Caskey v. Village of Belle Center, 650, 677, 678
Cass v. Dillon, 13
Cassidy v. Ohio Pub. Serv. Co., 756, 760, 1151, 1472, 1480
Castner v. Village of Pleasant Ridge, 1161, 1279
Celina & Mercer County Tel. Co. v. Union-Center Mut. Tel. Ass'n, 1411, 1420, 1421, 1423, 1468
Central Outdoor Advertising Co. v. Village of Evendale, 672, 795, 826
Chase v. Board of Tax Appeals, 1195, 1293, 1507, 1526
Chervenka v. City of Cleveland, 442
Choura v. City of Cleveland, 452, 455
Christensen v. Hagedorn, 31, 443
Cincinnati Gas & Elec. Co. v. Evatt, 1200
Cincinnati Gas Light & Coke Co. v. Village of Avondale, 1383, 1467, 1560
Cincinnati L. & N. Ry. v. City of Cincinnati, 414
Cincinnati Motor Transp. Ass'n v. City of Lincoln Heights, 475, 663, 664, 814, 820, 1146, 1154, 1561, 1562
Cincinnati N. & C. Ry. v. City of Cincinnati, 1469, 1471, 1478
Cincinnati Oil Works Co. v. City of Cincinnati, 1209, 1211, 1226
Cincinnati S. & C.R.R. v. Village of Belle Centre, 426
Cincinnati & Suburban Bell Tel. Co. v. City of Cincinnati, 371, 375, 655, 778, 845, 847, 1126, 1146, 1469
Cincinnati Union Depot & Terminal Co. v. City of Cincinnati, 419, 1161, 1296
City Comm'n of Gallipolis v. State *ex rel.* Houck, 495
City of Akron v. Akins, 25, 1248
City of Akron v. Criner, 652, 691, 783, 793, 795
City of Akron v. Davies, 667, 818
City of Akron v. Dixon, 695, 702, 721
City of Akron v. Klein, 27, 463, 1115, 1130
City of Akron v. Public Util. Comm'n, 79, 661, 741, 1115, 1145, 1149, 1391, 1395, 1404, 1411, 1416, 1462, 1474, 1482, 1509, 1511
City of Akron v. Scalera, 34, 690, 714, 722, 755, 796, 797
City of Akron v. Seitz, 651, 678, 783
City of Akron v. Smith, 25, 705, 809, 1122, 1129, 1248
City of Akron v. Vitoratos, 732
City of Akron v. White, 692, 732, 733
City of Akron v. Williams (Ct. App.), 689, 756
City of Akron v. Williams (Mun. Ct.), 756
City of Akron v. Zeisloft, 17, 37, 66, 71, 418, 1160, 1161, 1280
City of Amherst v. City of Lorain, 1462, 1556

City of Ashtabula v. Kovacs, 480, 821
City of Athens v. Bromall, 428
City of Aurora v. City of Bay Village, 1240, 1247, 1564
City of Avon Lake v. Burke, 23, 386, 387, 657, 704, 1451, 1452, 1460
City of Bellevue v. Hopps, 665, 814, 817
City of Brook Park v. Columbus Rd. Investment, Inc., 1554
City of Bucyrus v. State Dep't of Health, 19, 21, 22, 79, 81, 740, 743, 809, 824, 1107, 1110, 1114, 1116, 1117, 1121, 1141, 1144, 1145, 1406, 1500, 1508
City of Cambridge v. Elliott, 701, 715
City of Cambridge v. Public Util. Comm'n, 808, 1152
City of Campbell v. Hassay, 386, 1110, 1451
City of Canton v. Imperial Bowling Lanes, Inc. (S. Ct.), 1537
City of Canton v. Imperial Bowling Lanes, Inc. (Mun. Ct.), 763, 767, 827, 828, 829
City of Canton v. Nist, 677, 678, 679, 683, 685, 686, 695, 721, 725, 783
City of Canton v. Van Voorhis, 657, 795, 814, 817
City of Canton v. Whitman, 370, 373, 657, 658, 740, 741, 770, 772, 775, 785, 1115, 1117, 1120, 1125, 1126, 1143, 1144, 1145, 1154, 1391, 1395, 1400, 1405, 1509
City of Cincinnati v. American Tel. & Tel. Co., 409, 411, 412, 753, 1158, 1209, 1217, 1218, 1219, 1223, 1225, 1226
City of Cincinnati v. Bowers, 1194, 1196, 1506, 1507
City of Cincinnati v. Baumgartner, 817
City of Cincinnati v. Cincinnati Oil Works Co., 409, 412, 1223, 1224, 1226
City of Cincinnati v. Cincinnati & Suburban Bell Tel. Co., 846
City of Cincinnati v. Cook, 22, 661, 818
City of Cincinnati v. Correll, 26, 27, 39, 463, 662, 665, 690, 756, 1115, 1130
City of Cincinnati v. Coy, 731
City of Cincinnati v. Criterion Advertising Co., 655, 659, 660, 1163, 1167, 1168, 1169
City of Cincinnati v. DeGoyer (S. Ct.), 1248
City of Cincinnati v. DeGoyer (Mun. Ct.), 25
City of Cincinnati v. Dexter, 430, 1299, 1414
City of Cincinnati v. Faig, 25, 40, 705, 1122, 1129, 1185, 1187, 1239, 1248, 1489
City of Cincinnati v. Gamble (S. Ct.), 15, 19, 21, 22, 34, 35, 47, 49, 56, 59, 60, 70, 79, 80, 372, 374, 376, 387, 445, 446, 447, 451, 456, 462, 1107, 1109, 1110, 1111, 1117, 1119, 1136, 1137, 1138, 1139, 1140, 1207, 1509, 1510
City of Cincinnati v. Gamble (Ct. App.), 80, 387, 445, 1139, 1207
City of Cincinnati v. Harris, 81, 1264, 1274
City of Cincinnati v. Harth, 1301, 1415
City of Cincinnati v. Hillenbrand, 484, 490, 491, 494
City of Cincinnati v. Hoffman, 669, 670, 694, 723, 731, 738
City of Cincinnati v. King, 688
City of Cincinnati v. Lewis, 83, 84, 1190, 1191, 1192, 1502, 1503, 1504
City of Cincinnati v. Luckey (S. Ct.), 480, 664, 671, 686, 695, 821
City of Cincinnati v. Luckey (Ct. App.), 664, 686
City of Cincinnati v. Morton, 656, 1163, 1167, 1168, 1169
City of Cincinnati v. Patton, 723
City of Cincinnati v. Phelps, 25, 795
City of Cincinnati v. Public Util. Comm'n (91 Ohio St. 331), 846,

1391, 1408
City of Cincinnati v. Public Util. Comm'n (96 Ohio St. 270), 842
City of Cincinnati v. Public Util. Comm'n (98 Ohio St. 320), 842, 1385, 1412, 1416, 1417, 1471, 1474, 1476, 1478
City of Cincinnati v. Public Util. Comm'n (113 Ohio St. 689), 842
City of Cincinnati v. Public Util. Comm'n (137 Ohio St. 437), 1484
City of Cincinnati v. Roettinger, 64, 408, 411, 412, 773, 1159, 1170, 1171, 1172, 1173, 1174, 1176, 1178, 1179, 1180, 1402, 1417, 1446, 1448, 1456, 1457, 1462
City of Cincinnati v. Rost, 40, 41, 427, 1520, 1521
City of Cincinnati v. Sandow, 702, 704
City of Cincinnati v. Thomas J. Emery Memorial, 1459
City of Cincinnati v. Trustee of Cincinnati Hospital, 786
City of Cincinnati v. Vester, 423
City of Cincinnati v. Wess, 471
City of Cincinnati v. Ziegler, 427, 428, 1530, 1553
City of Cleveland v. Antonio, 475, 663, 820
City of Cleveland v. Artl, 38, 66, 1272, 1286, 1287, 1288, 1293, 1295, 1514
City of Cleveland v. Baker, 669, 820
City of Cleveland v. Betts, 707, 708, 726, 727, 730, 733, 736, 781, 790, 793, 802
City of Cleveland v. Board of Tax Appeals (153 Ohio St. 97), 1191, 1192, 1193, 1194, 1195, 1197, 1504, 1505
City of Cleveland v. Board of Tax Appeals (167 Ohio St. 263), 83, 84, 1181, 1186, 1190, 1191, 1192, 1193, 1194, 1292, 1396, 1397, 1401, 1442, 1446, 1502, 1504, 1505
City of Cleveland v. Carney (168 Ohio St. 305), 1194, 1506
City of Cleveland v. Carney (172 Ohio St. 189), 1186, 1194
City of Cleveland v. Cleveland City Ry., 1470, 1473
City of Cleveland v. Coughlin, 419, 1286, 1287, 1292, 1293, 1294
City of Cleveland v. Davis, 785
City of Cleveland v. Division 268, Amalgamated Ass'n of St. Elec. Ry. & Motor Coach Employees (30 Ohio Op. 395), 420, 460
City of Cleveland v. Division 268, Amalgamated Ass'n of St. Elec. Ry. & Motor Coach Employees (41 Ohio Op. 236), 460
City of Cleveland v. East Ohio Gas Co., 848, 1404, 1408, 1411, 1468, 1474, 1481, 1482, 1483
City of Cleveland v. Edwards, 422, 1183, 1253, 1254, 1276, 1563
City of Cleveland v. Gogola, 689
City of Cleveland v. Gustafson, 479, 817
City of Cleveland v. Heisley, 1189, 1199
City of Cleveland v. Hirsch, 25
City of Cleveland v. Jones, 692, 732, 733
City of Cleveland v. Lausche, 405, 1293, 1295, 1298, 1299
City of Cleveland v. Legal News Publishing Co., 1276, 1280
City of Cleveland v. Mulloff, 657, 690, 1144
City of Cleveland v. Painter, 427
City of Cleveland v. Perk (2 Ohio St. 2d 173), 1197
City of Cleveland v. Perk (29 Ohio St. 2d 161), 1194, 1196, 1197
City of Cleveland v. Piskura, 22, 659, 688, 752, 1494
City of Cleveland v. Public Library Bd., 435, 1190, 1295, 1517, 1548
City of Cleveland v. Public Util. Comm'n (100 Ohio St. 121), 843
City of Cleveland v. Public Util. Comm'n (102 Ohio St. 341), 47, 376, 841, 842, 1432, 1468, 1469, 1476
City of Cleveland v. Public Util. Comm'n (130 Ohio St. 503), 469,

470, 1147
City of Cleveland v. Public Util. Comm'n (134 Ohio St. 216), 469
City of Cleveland v. Raffa, 686, 690, 691, 708, 722, 755, 757, 760, 763, 764, 782, 1215, 1286
City of Cleveland v. Ruple, 1286, 1287, 1290, 1292, 1294, 1390, 1422, 1424
City of Cleveland v. Sado, 688, 789
City of Cleveland v. Terrill, 656, 657, 1143
City of Cleveland v. Tussey , 669
City of Cleveland v. United States, 1192, 1193, 1488, 1524, 1525
City of Cleveland v. Village of Cuyahoga Heights, 418, 419, 1160, 1161, 1386, 1389, 1390, 1400, 1401, 1409, 1416, 1425, 1427, 1428, 1448, 1455, 1479, 1557, 1563
City of Cleveland v. Walsh Constr. Co., 1277
City of Cleveland v. Wick, 414
City of Cleveland *ex rel.* Neelon v. Locher, 27, 36, 80, 440, 451, 452, 453, 463
City of Cleveland Heights v. Simon, 659, 688, 1494
City of Cleveland Heights v. Woodle, 694, 793
City of Columbus v. Barr, 688, 692, 719, 724
City of Columbus v. Becher (S. Ct.), 657, 669, 673
City of Columbus v. Becher (Ct. App.), 657, 669
City of Columbus v. Beery, 25, 704, 795
City of Columbus v. Brown, 819
City of Columbus v. Chicago Bonding & Sur. Co., 1284
City of Columbus v. County of Delaware, 84, 1191, 1192, 1193, 1194, 1292, 1397, 1503, 1505, 1527
City of Columbus v. County of Franklin, 1194, 1196, 1505, 1506, 1507
City of Columbus v. Gantner, 654, 1512
City of Columbus v. Geren, 690, 816
City of Columbus v. Glascock, 704, 712, 734, 737, 755, 789, 792, 1121, 1215
City of Columbus v. Kraner, 25, 705, 809, 1122, 1129, 1248
City of Columbus v. Mauk, 718, 720
City of Columbus v. Miqdadi, 668, 673, 1167, 1232
City of Columbus v. Molt (S. Ct.), 691, 712, 737, 774, 789, 790, 792, 798, 799, 816
City of Columbus v. Molt (Ct. App.), 691, 737
City of Columbus v. Montanez, 731
City of Columbus v. Public Util. Comm'n, 418, 778, 1391, 1407, 1468, 1473, 1474, 1475, 1476, 1477, 1478
City of Columbus v. Schaerr, 651, 678, 783
City of Columbus v. Thompson, 669
City of Columbus v. Union Cemetery Ass'n, 1537
City of Columbus v. Ward, 479, 480, 817
City of Columbus v. Webster, 686, 814, 817, 818
City of Columbus *ex rel.* Falter v. Columbus Metropolitan Housing Auth. (Ct. App.), 419, 421, 422, 1161, 1293, 1294, 1298, 1495
City of Columbus *ex rel.* Fatter v. Columbus Metropolitan Housing Auth. (C.P.), 419, 421, 422, 1161, 1293, 1294, 1298
City of Columbus *ex rel.* Willits v. Cremean, 405, 500, 1239, 1442, 1447, 1448, 1453, 1456
City of Coshocton v. Saba, 686, 693, 714, 717, 772, 795
City of Dayton v. Adams, 39, 793
City of Dayton v. Bauman, 414
City of Dayton v. Bohachek, 665
City of Dayton v. Borchers, 423, 425, 426
City of Dayton v. City Ry., 497, 1416, 1473, 1474
City of Dayton v. Cloud, 1182, 1195,

1257, 1291, 1292, 1506
City of Dayton v. Haines (156 Ohio St. 366), 1191, 1192, 1194, 1498, 1505
City of Dayton v. Haines (169 Ohio St. 191), 1191, 1192, 1194, 1498, 1505
City of Dayton v. Horstman, 36, 63, 66, 70, 393, 394, 396
City of Dayton v. Jacobs, 656, 657, 668, 1143, 1162
City of Dayton v. McPherson, 1551, 1558
City of Dayton v. Miller, 657, 704, 734
City of Dayton v. S.S. Kresge Co., 657, 662, 663
City of Dayton v. Stearns, 695, 696, 702, 705, 721, 755, 761, 771, 772, 775, 1157
City of Dayton v. Sutherland, 704
City of Dayton v. Vance, 428
City of Dayton v. Woodgeard, 63, 401, 403
City of Defiance v. Killion, 658, 666
City of Defiance v. Nagel, 801, 803
City of Defiance v. Toledo Edison Co., 1471
City of East Cleveland v. Board of Educ., 26, 29, 30, 84, 1130, 1145, 1401, 1413, 1456, 1517, 1536
City of East Cleveland v. Evatt, 83, 1190, 1503
City of East Cleveland v. Nau, 423
City of East Cleveland v. Palmer, 818
City of East Liverpool v. Dawson, 659, 684, 828
City of Elyria v. Vandemark, 31, 388
City of Euclid v. Bramley, 651, 783
City of Findlay v. Pendleton & Whitely, 419
City of Franklin v. Harrison (S. Ct.), 412, 1171, 1175, 1179, 1206, 1446
City of Franklin v. Harrison (Ct. App.), 1171, 1175, 1179
City of Fremont v. Keating (S. Ct.), 34, 691, 771, 773, 779, 780, 782, 787, 788, 797, 808, 815
City of Fremont v. Keating (Ct. App.), 788, 797
City of Frostburg v. Jenkins, 1286, 1295
City of Galion v. City of Galion, 469, 846, 1425, 1426, 1430, 1432, 1433
City of Grandview Heights v. City of Columbus, 1461, 1472, 1480
City of Grandview Heights v. Redick (Ct. App.), 1413, 1453, 1462, 1564
City of Grandview Heights v. Redick (C.P.), 1453, 1462, 1564
City of Greenville v. Public Util. Comm'n, 842
City of Hamilton v. Greevey, 487, 494, 495
City of Hamilton v. Van Gordon, 1522
City of Heath v. Licking County Regional Airport Auth., 767, 823, 1110, 1116, 1135, 1539
City of Kenton v. Dyer, 817
City of Kettering v. Stroop, 694
City of Lakewood v. Johnson, 474, 711
City of Lakewood v. Rees, 408, 1158, 1170, 1174, 1176, 1178, 1457, 1462
City of Lakewood v. Thormyer (S. Ct.), 481, 1114, 1116, 1131, 1132, 1150
City of Lakewood v. Thormyer (C.P.), 1114
City of Lancaster v. Fairfield County Budget Comm'n, 1246
City of Lancaster v. Miller, 1278, 1279
City of Lima v. Cemetery Ass'n, 1528
City of Lima v. Public Util. Comm'n (100 Ohio St. 416), 21, 373, 1400, 1407, 1412, 1471, 1475, 1477, 1478
City of Lima v. Public Util. Comm'n (106 Ohio St. 379), 373, 842, 844
City of Lockland v. Shaver, 1521
City of Lorain v. Lang, 16, 815
City of Lorain v. Maraldi, 678, 683,

686, 703, 705, 706, 726
City of Lorain v. Petralia, 705, 728, 794
City of Lyndhurst v. Compola, 763, 828, 829
City of Mansfield v. Endly, 16, 31, 34, 56, 61, 371, 372, 390, 839, 1260
City of Miamisburg v. Clayman, 659, 663, 826
City of Middletown v. City Comm'n (S. Ct.), 14, 417, 1256, 1258, 1261, 1265, 1268, 1269, 1382, 1383, 1386, 1387, 1399, 1409, 1438, 1442, 1443, 1444, 1445, 1446, 1447
City of Middletown v. City Comm'n (C.P.), 14, 1258, 1268, 1382, 1383, 1386, 1387, 1438, 1442, 1444, 1445
City of Mt. Vernon v. State *ex rel.* Berry, 419
City of Nelsonville v. Ramsey, 16, 468, 469, 743, 791, 844, 845, 1145, 1146, 1147, 1407
City of Newark v. Fromholtz, 1301, 1415
City of Newark v. Public Util. Comm'n, 1407, 1475, 1476
City of Newark v. Richter, 406
City of New Boston v. Scioto County Budget Comm'n, 1246
City of Niles v. Dean, 475, 815, 819, 1146
City of Niles v. Union Ice Corp., 1170, 1171, 1172, 1176, 1178, 1179, 1180, 1417, 1454, 1456, 1457, 1536
City of Norwalk v. Public Util. Comm'n, 843
City of Oakwood v. Gummer, 479
City of Painesville v. Board of County Comm'rs, 1244, 1246
City of Parma Heights v. Schroeder, 390
City of Piqua v. Public Util. Comm'n, 1412, 1422
City of Portsmouth v. Nicola Bldg. Co., 1278
City of Ravenna v. Ivec, 802, 803
City of Richmond Heights v. LoConti, 667, 760, 761, 1163, 1165, 1166, 1167
City of Rocky River v. Cleveland Elec. Illuminating Co., 1151
City of Sandusky v. City Comm'n 36, 401, 1268, 1436
City of Shaker Heights v. Klein, 668
City of Shaker Heights v. Zangerle, 84, 1190, 1192, 1193, 1396, 1397
City of Sidney v. Thompson, 689
City of South Euclid v. Novy, 650, 783, 796
City of Springfield v. Hurst (S. Ct.), 653, 657, 702
City of Springfield v. Hurst (Ct. App.), 653
City of Springfield v. Kenney, 1241, 1242, 1489
City of Springfield v. Krichbaum, 413, 1184, 1228, 1229, 1230, 1236, 1240, 1242
City of Springfield v. Kurtz, 1241, 1242
City of Springfield v. Saunders, 1240
City of Springfield v. Stovall, 720
City of Springfield v. Walker, 419, 1161
City of Steubenville *ex rel.* Blackburn v. Targoss, 433, 434, 435, 1295, 1548
City of Toledo v. Allion, 663
City of Toledo v. Best, 694, 701, 704, 729, 733, 734, 735, 736, 737, 789, 790
City of Toledo v. Board of Educ., 1528
City of Toledo v. Hosler, 1192
City of Toledo v. Jenkins, 83, 426, 1190, 1191, 1192, 1387, 1401, 1421, 1423, 1504, 1526, 1527, 1553
City of Toledo v. Kohlhofer, 693, 703, 704, 705, 724, 728, 729
City of Toledo v. National Supply Co., 1282
City of Toledo v. Ransom, 701, 704, 728, 729, 733, 789

City of Toledo v. Romstadt, 678, 706, 728
City of Toledo v. Schudel, 25, 66, 1248
City of Toledo v. State *ex rel.* Lawler, 56, 62, 65, 438, 445, 447, 454, 455
City of Wapakoneta v. Helpling 1388, 1431, 1445
City of Washington v. Public Util. Comm'n, 843
City of Washington v. Thompson, 672, 801, 802, 803
City of Washington Court House v. Dumford, 1522
City of Wellston v. Morgan (59 Ohio St. 147), 1477
City of Wellston v. Morgan (65 Ohio St. 219), 1278, 1279, 1282
City of Wellsville v. O'Connor, 679, 691, 705
City of Wooster v. Arbenz, 82, 1395
City of Wooster v. Evans, 480, 800
City of Wooster v. Gentile, 801, 803
City of Xenia v. Schmidt, 666
City of Youngstown v. Aiello, 405, 406
City of Youngstown v. Arnold, 34, 37, 654, 659
City of Youngstown v. Civil Serv. Comm'n, 437, 440
City of Youngstown v. Craver, 62, 63, 64, 378, 483, 485, 488
City of Youngstown v. Evans, 15, 654, 687, 705, 726, 728, 771, 773, 774, 782, 783, 794, 797, 799, 800, 807, 808, 837, 1124
City of Youngstown v. First Nat'l Bank, 13, 15, 418, 428, 1160, 1260, 1278
City of Youngstown v. Harrington, 1163, 1167
City of Youngstown v. Kahn Bros. Bldg. Co., 665, 826
City of Youngstown v. Kochis, 820
City of Youngstown v. Mitchell, 86, 481, 1207, 1251, 1267
City of Youngstown v. Park & Recreation Comm'n, 387, 1280
City of Youngstown v. Sandela, 684
City of Youngstown v. Shea, Moore & Royal Indem. Co., 38
City of Youngstown v. Sturgess, 1523
City of Zanesville v. Zanesville Canal & Mfg. Co. (S. Ct.), 1532
City of Zanesville v. Zanesville Canal & Mfg. Co. (C.P.), 1532
City of Zanesville v. Zanesville Tel. & Tel. Co., 82, 778, 808, 845, 1508
Clark v. City of Cincinnati (S. Ct.), 413, 1183, 1184, 1185, 1242, 1243
Clark v. City of Cincinnati (Ct. App.), 1184, 1185, 1243
Clark v. City of Cincinnati (C.P.), 1183, 1243
Cleveland C.C. & St. L. Ry. v. Grambo, 653, 795, 1147
Cleveland & Eastern Traction Co. v. Public Util. Comm'n, 1477
Cleveland Elec. Illuminating Co. v. City of Painesville (S. Ct.) 369, 370, 371, 373, 376, 470, 774, 778, 806, 847, 1107, 1111, 1134, 1148, 1149, 1151, 1152, 1153, 1154, 1155, 1156, 1157
Cleveland Elec. Illuminating Co. v. City of Painesville (Ct. App.), 774, 1149, 1152
Cleveland Elec. Illuminating Co. v. Scapell (Ct. App.), 1151, 1530
Cleveland Elec. Illuminating Co. v. Scapell (C.P.), 1530
Cleveland Ry. v. Public Util. Comm'n, 469
Cleveland Ry. v. Village of North Olmsted, 470, 845, 1390, 1395, 1404, 1421, 1423, 1449, 1459, 1463, 1465, 1550, 1557, 1558, 1559
Cleveland Shopping News Co. v. City of Lorain, 668
Cleveland Stevedore Co. v. City of Cleveland, 403, 436, 1284
Cleveland Tel. Co. v. City of Cleveland, 14, 18, 19, 36, 46, 47, 48, 54, 55, 61, 370, 372, 373, 374, 375, 376, 467, 653, 655, 662, 682, 684, 751, 772, 776, 779, 841, 842,

1119, 1124, 1125, 1382, 1388, 1393, 1407, 1408, 1412, 1425
C.L. Maier Co. v. City of Canton, 698
Cloud v. Board of Elections, 381
Coates v. City of Cincinnati, 479, 670
Collector v. Day, 1186, 1501
Colley v. Village of Englewood, 413, 1249, 1253, 1441, 1442, 1445
Columbus Gas & Fuel Co. v. City of Columbus, 37, 38, 834, 1400, 1401, 1416, 1419, 1435, 1470, 1474, 1478
Columbus Legal Amusement Ass'n v. City of Columbus, 670, 686, 756, 796, 1167
Columbus Metropolitan Housing Auth. v. Thatcher, 1192, 1193, 1507, 1525
Columbus Production Credit Ass'n v. Bowers, 1491
Columbus & S. Ohio Elec. Co. v. Porterfield, 83, 84, 1398, 1401, 1423, 1503
Columbus & S. Ohio Elec. Co. v. Public Util. Comm'n, 469
Community Traction Co. v. Konte, 713, 791, 814, 815, 816
Conrad v. Lengel, 697, 756, 788
Continental Can Co. v. Donahue, 1188
Continental Cas. Co. v. Cincinnati Ry. Supply Co., 1278, 1280
Cook v. Village of Paulding, 1387, 1449
Cooley v. Board of Wardens, 1218, 1494
Corry v. City of Cincinnati, 480
Cox v. New Hampshire, 479
Coyne v. State, 23
Craig v. City of Youngstown, 63, 64, 70, 452, 460, 463
Crane v. City of Middletown, 408, 468, 819, 1159, 1163, 1166, 1232
Crawford v. Madigan, 1288, 1295
Csensich v. Public Util Comm'n, 1155
Culver v. City of Warren, 434
Cummings v. Village of Lakeville, 1411, 1435, 1470
Cupps v. City of Toledo, 24, 458, 459, 1129, 1138
Curtis v. Toledo Metropolitan Housing Auth., 419, 1161, 1492, 1496
Curtiss v. City of Cleveland (166 Ohio St. 509), 826
Curtiss v. City of Cleveland (170 Ohio St. 127), 831
Curtiss v. City of Cleveland (Ct. App.), 831
Cuyahoga River Power Co. v. City of Akron, 1487

D

Dalton v. Kunde, 658, 667, 1282, 1284
Davis v. City of Willoughby, 415, 1252
Davis v. McPherson, 756, 765, 766, 1144
Dayton Classroom Teachers Ass'n v. Dayton Bd. of Educ., 420, 460
Dayton Metropolitan Housing Auth. v. Evatt, 1192, 1503, 1525, 1526
Dayton Newspapers, Inc. v. City of Dayton (Ct. App.), 37, 62, 63, 66, 386, 401, 402, 403
Dayton Newspapers, Inc. v. City of Dayton (C.P.), 401, 402, 403
Deming v. Osinski, 693
Denison University v. Board of Tax Appeals, 84, 1192, 1195, 1504, 1505
DiBella v. Village of Ontario, 464, 479
Dillon v. City of Cleveland, 39, 62, 67, 400, 482, 483, 484, 487, 498, 822
Direct Plumbing Supply Co. v. City of Dayton, 663, 664, 665
Disabled American Veterans Chapter No. 2 v. O'Neill, 688, 692
Division of Conservation & Natural Resources v. Board of Tax Appeals, 1191, 1192
D.M. Sylvester & Di Paolo Constr. Co. v. Village of North Randall, 1278

Doan v. Cleveland Short Line Ry., 823, 1539
Dobbins v. Commissioner of Erie County, 1501
Doehler Die Casting Co. v. City of Toledo, 1224, 1226
Doering v. City of South Euclid, 425, 479
Dollar Sav. & Trust Co. v. City of Youngstown, 789, 816
Dowling v. Dayton Union Ry., 661
Dragelevich v. City of Youngstown, 669
Dravo-Doyle Co. v. Village of Orrville, 21, 1180, 1388, 1400, 1409, 1425, 1485
Drockton v. Board of Elections, 496, 497, 839
Dubyak v. Kovach, 62, 484, 485, 491, 493, 1439
Dunn v. Board of Tax Appeals, 1489, 1490

E

Eastern Ohio Transp. Corp. v. Village of Bridgeport, 845, 1146
East Ohio Gas Co. v. City of Akron (81 Ohio St. 33), 1471, 1472, 1480, 1483
East Ohio Gas Co. v. City of Akron (7 Ohio St. 2d 73), 408, 410, 412, 754, 758, 759, 1208, 1209, 1210, 1211, 1215, 1216, 1221, 1225, 1228, 1229, 1230, 1234, 1235, 1236, 1502
East Ohio Gas Co. v. City of Akron (Ct. App.), 408, 1208, 1210, 1215, 1234
East Ohio Gas v. City of Cleveland, 1472, 1480, 1481, 1482, 1483
East Ohio Gas Co. v. Public Util. Comm'n, 419, 843
Edis v. Butler, 651, 652, 678, 705
Edward Rose of Ohio, Inc. v. McLaughlin, 64, 485, 494, 495,
Eikenbary v. City of Dayton, 36, 37, 66, 433, 436, 1283, 1284, 1285, 1293, 1499
Ellis v. Urner, 1174
Elster v. City of Springfield, 846
Emery v. City of Elyria, 651, 678, 683, 691, 705
Emery v. City of Toledo, 424, 425
Emmert v. City of Elyria, 1279
Englewood Hills, Inc. v. Village of Englewood, 1442, 1445, 1454, 1457
Epoch Producing Corp. v. Davis, 653, 659, 700, 756
Ermekeil v. State, 652, 705, 794, 799
Eshner v. City of Lakewood, 712, 791
Estelle Realty, Inc. v. City of Mayfield Heights, 1210, 1230, 1232
Eversole v. City of Columbus, 1291
Ex parte Hoffman, 681, 716

F

Farmer v. Columbiana County Tel. Co., 1469, 1476
F.D. Lawrence Elec. Co. v. Enterprise Lumber Co., 713, 791
Federal Gas & Fuel Co. v. City of Columbus, 13, 15, 465, 780, 1383, 1467
Federal Land Bank v. Bismark Lumber Co., 1488
Federal Public Housing Auth. v. Guckenberger, 1192, 1193, 1488, 1524
Feist v. City of Columbus, 480, 817, 1158, 1163, 1167
Ferguson v. Collins, 25, 457, 1129
Ferrie v. Sweeney, 767, 1109, 1111, 1144, 1286, 1293, 1294, 1296, 1523
Fifth Urban, Inc. v. Board, 658, 670
Findley v. City of Conneaut, 1294
Firestone v. City of Cambridge, 411, 412, 468, 819, 1164, 1165, 1166, 1167, 1168, 1169, 1209, 1215, 1219, 1222, 1224, 1232
First Central Trust Co. v. Evatt, 1192, 1193, 1489, 1492, 1525
Fisher Bros. Co. v. Brown, 85, 411, 1187, 1207
Fitzgerald v. City of Cleveland, 13, 28, 38, 39, 47, 48, 49, 53, 61, 370,

373, 374, 375, 376, 386, 388, 391, 392, 393, 394, 395, 396, 397, 400, 459, 655, 770, 772, 773, 775, 776, 777, 778, 780, 782, 784, 1108, 1115, 1123, 1125, 1136, 1485
Florida Lime & Avocado Growers, Inc. v. Paul, 752, 754, 1494
Flotron v. Barringer, 382, 395
Foltz v. City of Dayton (Ct. App.), 373, 461, 696
Foltz v. City of Dayton (C.P.), 373, 461
Forest City Enterprises v. City of Eastlake, 485, 486, 492
Forest Hills Util. Co. v. Public Util. Comm'n, 843
Fosdick v. Hamilton County, 1259, 1266, 1286, 1292, 1293, 1294, 1302, 1547, 1548
Francisco v. City of Cuyahoga Falls, 406, 486, 498, 499, 1439
Frankenstein v. Goodale, 1299
Frecker v. City of Dayton (S. Ct.), 45, 652, 667, 668, 672, 673, 799, 801, 802, 803, 820
Frecker v. City of Dayton (Ct. App.), 45, 652, 672, 673, 799, 801, 802, 803
Frecker v. City of Zanesville, 672, 801, 802, 803
Fred W. Albrecht Grocery Co. v. Overfield, 814, 816
Frisbie Co. v. City of East Cleveland, 1277
Froelich v. City of Cleveland, 14, 15, 46, 47, 48, 53, 54, 57, 61, 364, 365, 372, 373, 374, 375, 376, 466, 467, 470, 471, 473, 474, 475, 477, 661, 711, 772, 775, 780, 791, 815, 825, 1125
Frost Bar, Inc. v. City of Shaker Heights, 665, 814, 820
Fry v. United States, 1493
Fuldauer v. City of Cleveland (S. Ct.), 22, 27, 36, 463, 1560
Fuldauer v. City of Cleveland (Ct. App.), 36

G

Gall v. City of Cincinnati, 421
Galvin v. Masonic Toledo Trust, 1196, 1506
G. Andrews Espy Realty Co. v. Burton-Rodgers, Inc., 408, 411, 413, 415, 1159, 1249, 1252, 1392, 1441, 1445
Garrett v. City of Cincinnati, 480, 1163, 1166, 1169, 1175
G.A. Schadt Motor Truck Co. v. Dengenhart, 23
Gas Light & Coke Co. v. City of Columbus, 480, 846
Gates v. City of Parma, 475
Geiger v. Kobie, 431, 489, 491, 492, 500, 1434, 1484, 1485, 1486
Gem Development Co. V. Clymer, 495
Gerspacher v. City of Cleveland, 477, 479
Gibbons v. Ogden, 1214, 1218
Gibson v. City of Oberlin, 827
Giesel v. City of Broadview Heights, 402, 404, 405, 500, 1174, 1175, 1177, 1200, 1387, 1457, 1472
Gigandet v. Brewer, 1198, 1199, 1200
Gilbert v. City of Dayton, 422, 435, 1293, 1295
Glidden Co. v. Glander, 1491
Globe Security & Loan Co. v. Carrel, 409, 411, 697, 761, 762, 788, 1158, 1164, 1165, 1166, 1167, 1168, 1208, 1209, 1215, 1217, 1225
Goebel v. Cleveland Ry., 14, 17, 19, 46, 48, 49, 371, 372, 466, 780, 1392, 1407
Goldberg v. City of Cincinnati, 462
Goodale v. Fennell, 1207
Goodman v. City of Hamilton, 489, 492, 1436, 1470, 1486
Goodman v. City of Youngstown, 404, 405, 406, 407
Goodrich v. Bowers, 1490
Gottlieb v. Mahoning Valley Sanitary Dist., 62, 85, 1390, 1397, 1400, 1564

Gozion v. City of Lakewood, 717, 829
Graf v. Warren, 1194, 1195, 1505, 1506, 1507
Graves v. New York *ex rel.* O'Keefe, 1186, 1488, 1501
Great Atlantic & Pacific Tea Co. v. Village of Tippecanoe, 480, 800
Greater Fremont, Inc. v. City of Fremont, 46, 371, 374, 375, 413, 655, 667, 752, 777, 1183, 1209, 1223, 1227, 1233, 1393, 1419, 1420, 1422, 1423, 1424, 1494
Green v. Huntington Nat'l Bank, 1492
Green v. State Civil Serv. Comm'n, 55, 398, 437
Green *ex rel.* City of Columbus v. Thomas, 12, 85, 431, 432, 435, 1513
Greenburg v. City of Cleveland, 34, 375, 652, 657, 689, 690, 703, 705, 755, 771, 779, 780, 782, 808, 1125, 1248
Greenhills Home Owners Corp. v. Village of Greenhills, 1497
Greenlee v. Cole, 1451
Greenwood v. City of Portsmouth, 62, 440, 449, 452, 453, 463
Grimes v. Jones, 404, 487, 498, 1433
Grisanti v. City of Cleveland, 424, 425, 1293, 1499
Guardian Savings & Trust Co. v. Templar Motors Co., 1226
Gund Realty Co. v. City of Cleveland, 421
Gutelius v. Gillen, 490
Guth v. Heines, 693

H

Haas v. Jennings, 38
Haefner v. City of Youngstown, 408, 409, 410, 412, 696, 1158, 1159, 1202, 1208, 1209, 1210, 1211, 1218, 1220, 1222, 1224, 1225, 1228, 1229, 1231, 1232
Hageman v. Board of Trustees, 1497
Hagerman v. City of Dayton, 436, 438, 461, 696
Hague v. CIO, 479
Hall v. City of Youngstown, 1402, 1424
Hall Bros. v. City of Cleveland, 656, 657, 668, 1561
Halliday v. Norfolk & W. Ry., 1276, 1277
Hamilton County v. Cloud, 1266
Hammond v. Young, 72, 392, 396
Hardin-Wyandot Lighting Co. v. Village of Upper Sandusky, 778, 808, 846, 1383
Harsney v. Allen, 450, 460
Hartwig Realty Co. v. City of Cleveland, 411, 412, 1174, 1175, 1177, 1181, 1457, 1462
Harvey v. Brumback, 438, 441, 452
Hausmann & Johnson, Inc. v. Board of Bldg. Code Appeals, 661, 822, 824
Hauser v. State *ex rel.* Erdman, 827
Hawley v. City of Toledo, 1277, 1279, 1280, 1284
Hayes v. Village of St. Marys, 651, 678
Heald v. City of Cleveland, 17, 22, 405, 1286, 1290, 1292, 1294, 1422, 1424
Hecker v. State *ex rel.* City of Cleveland, 695, 1144, 1390, 1558, 1559
Heffner v. Krinn, 487, 490, 492, 1267
Heidle v. Baldwin, 693, 721, 816
Heidtman v. City of Shaker Heights, 462, 495, 496
Heininger v. Davis, 24, 63, 86
Heller v. City of Cleveland, 659
Helmstedter v. City of Barberton, 1277
Helvering v. Gerhardt, 1186, 1501
Heninger v. City of Akron, 1276, 1284
Henke v. Meyer, 839
Henry v. City of Cleveland, 819
Henslee v. City of Columbus, 659
Heppel v. City of Columbus, 659, 684

Hickey v. Burke, 79, 80, 81, 82, 435, 743, 810, 1110, 1111, 1114, 1116, 1117, 1144, 1508, 1509, 1513, 1548
Hickman v. City of Portsmouth, 63, 440, 452, 453, 460
Hicks v. City of Akron, 731
Hile v. City of Cleveland (107 Ohio St. 144), 16, 19, 33, 35, 61, 386, 387, 394, 786, 1268
Hile v. City of Cleveland (118 Ohio St. 99), 438, 440, 444, 450, 451
Hill v. Higdon, 408, 413, 1159, 1189, 1250
Hilltop Realty, Inc. v. City of South Euclid, 485, 491, 492
Hilton v. State *ex rel.* Bell, 24
Himebaugh v. City of Canton, 1173, 1176, 1177, 1178, 1456
Hines v. City of Bellefontaine, 418, 1160, 1278, 1285, 1299
Hinslea v. Council of City of Lakewood, 398
Hixson v. Burson, 785, 786
Hocking Power Co. v. Harrison, 494, 495, 1432
Hodge Drive-It-Yourself Co. v. City of Cincinnati, 85, 676, 815, 818
Holcomb v. State *ex rel.* Coxey, 390, 404, 405, 406, 407, 499
Holsman v. Thomas, 697, 700
Home Bldg. & Loan Ass'n v. Blaisdell, 1481
Howard v. Pennsylvania R.R., 686
Hoye v. Schaefer, 1521
Hoyne v. Wurstner, 480, 815, 817
Hubbard v. Fitzsimmons, 419, 435, 1189, 1295, 1513, 1548
Huddleston v. Ruffin, 651
Hugger v. City of Ironton, 47, 48, 56, 61, 371, 372, 401, 422, 431, 432, 433, 434, 435, 1284, 1285, 1296, 1485, 1498
Hughes v. City of Cincinnati, 650, 652, 783
Humphrey v. City of Youngstown, 401, 403, 826
Humphrey v. Henderson, 408, 410, 1210, 1219, 1227, 1234, 1242, 1247
Hunter v. Erickson, 36, 667
Huntington Nat'l Bank v. Porterfield, 1490
Hyde v. City of Lakewood, 82, 1111

I

Ide v. State, 24, 63, 388
Industrial Gas Co. v. Public Util. Comm'n, 1420
Industrial Rescue Mission v. City of Columbus, 1268, 1277
In re Board of County Comm'rs, 1520
In re Brown, 705, 728, 794, 797
In re C., 816
In re Calhoun, 703, 704, 705, 793
In re Carpenter, 27, 691, 1130
In re Coppola, 389, 398, 399, 1282, 1283
In re Exemption of Real Property from Taxation, 1195
In re Exemption of Real Property from Taxation, City of Columbus v. County of Delaware, 84, 1191, 1192, 1193, 1194, 1292, 1397, 1503, 1505, 1527
In re Fitzsimmons, 650, 783
In re Fortune, 24, 447, 457, 458, 1129, 1136, 1138, 1139
In re Howard, 650
In re Martins Ferry Metropolitan Housing Auth., 1520
In re Ordinance to Rezone, 830
In re Parks, 26, 742, 756
In re Passage of Ordinance, 25
In re Removal of Pickering, 399, 428
In re Removal of Taylor, 443
In re Sherlock, 16, 652, 794
In re Sidell, 71, 449
In re Smith, 652, 679, 705
In re Thornburg, 657, 665
In re Transfer of Funds, 1174, 1177, 1178, 1180, 1456
In re United States Housing Auth., 1193, 1488, 1524, 1525

International Bhd. of Firemen & Oilers, Local 49 v. Cincinnati Gas & Elec. Co., 486
Interurban Ry. & Terminal Co. v. City of Cincinnati (93 Ohio St. 108), 1417, 1471, 1475, 1478
Interurban Ry. & Terminal Co. v. City of Cincinnati (94 Ohio St. 269), 1522, 1523
Interurban Ry. & Terminal Co. v. Public Util. Comm'n, 661, 1383, 1400, 1407, 1412, 1417, 1471, 1474, 1475, 1476, 1477

J

Jackson v. Board of Educ., 413, 1528, 1529
Jackson v. City of Columbus, 670
Jackson v. Copelan, 660, 817, 818, 1169
James v. City of Cleveland, 819
James *ex rel.* City of Columbus v. Ketterer, 62, 63, 73, 484, 485, 487, 488, 489, 490, 491, 1245, 1432, 1436
Janoviak v. Cregan, 820
John H. McGowan v. City of Portsmouth, 1281
Johnson v. Maryland, 1492, 1500
Jones v. City of Cleveland, 386, 394, 395
Jones v. City of Middletown, 1277
Jones v. Keck, 432
Joseph v. Carter & Weekes Stevedoring Co., 1228
Joseph Schonthal Co. v. Village of Sylvania, 422, 435, 1293, 1295
Joslyn v. City of Akron, 1419, 1421, 1423, 1424, 1429, 1460, 1464

K

Kasch v. Miller, 1257
Kasch v. Peoples Hospital Co., 1413, 1456
Kaufman v. Village of Paulding, 718
Kearney v. City of Cincinnati, 406, 407, 691
Kellenberger v. Board of Educ., 1200
Kellogg v. Cincinnati Traction Co., 22, 479
Kemp v. Lynch, 1277
Kern-Limerick, Inc. v. Scurlock, 1490
King v. Gross, 62, 453, 457, 1277, 1282, 1497, 1499
Kissell v. Viliage of Columbus Grove, 1303
Kistler v. City of Warren, 702, 704, 705, 794, 819
Kittel v. City of Cincinnati, 1261, 1299, 1415, 1421, 1423, 1429
Klein v. City of Cincinnati, 699, 788, 793
Kligler v. City of Elyria, 39, 824, 828, 837, 840
Klucar v. Hull, 25, 458, 1129
Koch v. State, 678, 683, 691, 705, 728
Korn v. Dunahue, 431, 433, 434, 435, 489, 490, 497, 1272, 1285, 1434, 1435, 1484, 1485, 1486
Kotes v. State *ex rel.* Kaplan, 22, 24
Kovacs v. Cooper, 479
Kovar v. City of Cleveland, 657, 761
Kramer v. Union Free School Dist., 1245
Kraus v. City of Cleveland (163 Ohio St. 559), 658, 664, 668, 669, 1142, 1387, 1449
Kraus v. City of Cleveland (135 Ohio St. 43), 654, 697, 703, 1288
Kraus v. City of Cleveland (66 Ohio L. Abs. 417 (C.P.)), 664, 669, 1142, 1387, 1449
Kraus v. City of Cleveland (12 Ohio Op. 206 (C.P.)), 1288
Kraus v. Halle Bros. Co., 15, 37, 38, 479
Kuertz v. Union Gas & Elec. Co., 489, 1416, 1431, 1432, 1438, 1439, 1440, 1469, 1470, 1471, 1474
Kurtz v. City of Columbus, 1266, 1498

L

Lake County Nat'l Bank v. Kosydar, 1491

Lake Shore Elec. Ry. v. State *ex rel.* Martin, 1481, 1482
Lake Shore Power Co. v. Village of Edgerton, 420, 1430
Landman v. City of Columbus, 651
LaPolla v. Davis, 450
Lariccia v. Board of Comm'rs, 1520
Lathrop Co. v. City of Toledo, 1284
Lazarus v. Board of Comm'rs, 1299
Leader v. Glander, 1211
League for Preservation of Civil Rights & Internal Tranquility, Inc. v. City of Cincinnati (Ct. App.), 655, 664, 670
League for Preservation of Civil Rights & Internal Tranquility, Inc. v. City of Cincinnati (C.P.), 655
Leavers v. City of Canton, 56, 57, 59, 60, 75, 76, 77, 386, 454, 455, 838, 1138, 1398
Leet v. City of Eastlake, 662, 699, 786
LeFever v. City of Columbus, 655, 659, 668
Leis v. Cleveland Ry., 656, 674, 675, 1125
Lengyel v. Brandmiller, 1523
Lewis v. City of Columbus, 25, 795
Lewis v. City of Washington, 666, 668, 690, 795
Lima Hospital Soc'y v. City of Lima, 408, 1159, 1274, 1278, 1282
Lindsay v. City of Cincinnati, 704
Link v. Public Util. Comm'n, 843, 1115, 1386, 1389, 1394, 1400, 1407, 1412, 1421, 1423, 1432, 1470, 1471, 1475, 1477, 1478
Loan Ass'n v. City of Topeka, 1286
Local Tel. Co. v. Cranberry Mut. Tel. Co., 16, 42, 85, 1386, 1391, 1407, 1411, 1467, 1468, 1510, 1545
Lorain St. Rd. Co. v. Public Util. Comm'n, 371, 372, 375, 468, 469, 477, 772, 799, 844, 845, 1145, 1146, 1407
Louisville & Nashville R.R. v. City of Cincinnati, 465, 1275
Loux v. City of Lakewood, 390, 1260
Lovell v. City of Cincinnati, 817, 818
Lovell v. City of Griffin, 39, 479, 661, 1487
Lowry v. City of Ironton, 1277
Lucas County Treasurer v. Peak, 1276, 1529
Ludwig Hommel & Co. v. Village of Woodsfield, 1277, 1278, 1279, 1280, 1403, 1410
Lynn v. Supple (S. Ct.), 63, 485, 491, 494, 496
Lynn v. Supple (Ct. App.), 491

Mc

MacDonald v. Bell, 23
McCloud & Geigle v. City of Columbus, 1279
McCollum v. City of Cincinnati, 694
McConnell v. City of Columbus, 40, 410, 412, 413, 1185, 1187, 1239, 1501, 1512
McCormick v. City of Niles, 1279
McCrate v. Lafferty, 499, 1277, 1433, 1438, 1441, 1451
McCulloch v. Maryland, 1132, 1186, 1487, 1500
McDonald v. City of Columbus, 16, 40, 42, 43, 80, 421, 427, 1516, 1535, 1540, 1543, 1549
McFarlan v. City of Norwood, 487
McGuire v. City of Cincinnati, 1295, 1298
McNab v. Board of Park Comm'rs, 1518, 1565

M

Maass v. Higgins, 1211
Magid v. City of Cleveland Heights, 833
Magris v. City of Canton, 652, 678, 794
Mahoning County Comm'rs v. City of Youngstown, 1459, 1461, 1462, 1472, 1479, 1480, 1545, 1548, 1549

Mahoning & Shenango Ry. & Light Co. v. Public Util. Comm'n, 1476
Malacek v. Village of Shaker Heights, 406, 487
Maloney v. Gutelius, 406, 1279
Marion Foundry Co. v. Landes, 409, 1158, 1209, 1217, 1227
Markley v. Village of Mineral City, 12, 422, 435, 1288, 1293, 1295, 1303
Marko v. City of Youngstown, 39, 794
Markowski v. Backstrom, 462
Markus v. Board of Elections (S. Ct.), 487, 494, 498
Markus v. Board of Elections (C.P.), 494
Martin v. City of Canton, 814, 816
Martinez v. City of Cleveland, 436, 442, 656, 657, 704
Maryland v. Wirtz, 1493
Massa v. City of Cincinnati, 63, 474, 1128, 1132, 1281
Matthews v. Russell, 704, 705, 794
Mayer v. Ames. (S. Ct.), 469, 652, 688, 700, 756, 761, 773, 793, 815, 819, 1143, 1147, 1163, 1169, 1215, 1232, 1292
Mayer v. Ames (Ct. App.), 1292
Mayer v. Ames (C.P.), 761, 772
Mays v. City of Cincinnati, 408, 1162, 1167
Mead-Richer v. City of Toledo, 1175, 1402, 1421, 1423, 1442, 1445, 1457
Merryman v. Gorman, 381, 382, 383, 384, 390, 439
Merves v. City of Lorain, 432
Messinger v. City of Cincinnati, 471, 1538
Metropolitan Paving Brick Co. v. Federal Sur. Co., 1278
Meyer v. City of Cleveland, 1291, 1293
Miami County v. City of Dayton, 26, 30, 40, 41, 406, 407, 655, 1114, 1115, 1116, 1124, 1130, 1189, 1517, 1518, 1565
Miesz v. Village of Mayfield Heights, 822
Mihocka v. Ziegler, 486, 663
Miller v. City of Cleveland, 405, 406
Miller v. Korns, 1199
Miller v. Village of Brookville, 432, 433, 1285
Miller v. Village of Orrville, 1280, 1298, 1382, 1414, 1455, 1458, 1459, 1461, 1462, 1466
Mills v. Village of Norwood, 12, 1522
Mog v. City of Cleveland, 62, 1280
Moore v. Evans, 369, 372, 436, 440
Moore v. Hoffman, 1293
Morris v. Bloomgren, 693, 721, 816
Morris v. City of Conneaut, 652, 795
Morris v. Roseman (S. Ct.), 56, 58, 59, 62, 65, 67, 76, 400, 402, 404, 434, 823, 826, 834, 835, 837, 838, 840, 1537
Morris v. Roseman (Ct. App.), 56, 826, 834, 835, 838
Morrow v. City of Cleveland, 396, 397
Mosher v. City of Dayton, 1156
Mulcahy v. City of Akron, 64, 66, 71, 371, 418, 420, 429, 1132, 1161, 1280
Mullen v. City of Akron, 65, 460
Murdock v. Lauderbaugh, 28
Murphy v. City of Columbus, 1168
Murphy v. City of Toledo, 467, 477, 844
Murray v. State *ex rel.* Nestor, 31
Mutual Elec. Co. v. Village of Pomeroy, 1407, 1473, 1476
Myers v. City of Cincinnati, 656, 659, 664
Myers v. City of Defiance, 26, 655, 667, 742, 756, 1561
Myers v. Schiering, 485, 492

N

NLRB v. Jones & Laughlin Steel Corp., 21, 1509
National League of Cities v. Usery, 1493, 1494
Nanna v. Village of McArthur, 1547

Neapolitan v. United States Steel Corp., 449, 654, 660
Neil House Hotel Co. v. City of Columbus (S. Ct.), 69, 473, 685, 693, 715, 716, 717, 718, 720, 772, 781, 1143
Neil House Hotel Co. v. City of Colubus (Ct. App.), 717
Newman v. East Ohio Gas Co., 1404, 1407, 1471, 1474
New York v. United States, 1491
Nichol v. Tolhurst, 1300, 1415
Nicholls v. City of Cleveland, 817
Nickles v. Echelberger, 802, 803
Niehaus v. State *ex rel.* Board of Educ., 19, 20, 26, 29, 30, 476, 741, 809, 1108, 1114, 1115, 1130, 1509, 1511, 1536
Noland v. City of Sharonville, 698, 762, 764, 765, 766, 805, 806, 1157, 1163, 1215
Norfolk & Western Ry. v. Gale, 823, 1539
Northern Boiler Co. v. David, 22
Northwestern Ohio Nat. Gas. Co. v. Public Util. Comm'n, 843
Northwestern States Portland Cement Co. v. Minnesota, 1228

O

Ohio Citizens Trust Co. v. Evatt, 1193, 1489, 1525
Ohio Civil Serv. Employes Ass'n v. Division 11 Dept. of Highways, 461
Ohio Edison Co. v. Public Util. Comm'n, 843
Ohio Elec. Power Co. v. State *ex rel.* Martin, 1479, 1480, 1482
Ohio Finance Co. v. City of Toledo, 1208, 1209, 1210, 1227, 1229, 1230, 1235, 1236
Ohio Power Co. v. Village of Attica (S. Ct.), 1420, 1422, 1423, 1470
Ohio Power Co. v. Village of Attica (Ct. App.), 1420
Ohio Power Co. v. Davidson (Ct. App.), 489, 494, 496, 1436, 1470, 1486
Ohio Power Co. v. Davidson (C.P.), 494
Ohio Public Serv. Co. v. State *ex rel.* Fritz, 1472, 1480
Ohio Public Serv. Co. v. Village of Newton Falls, 1256, 1399, 1410, 1442, 1443
Ohio River Power Co. v. City of Steubenville, 489, 842, 1432, 1470, 1475, 1478
Ohio Valley Elec. Ry. v. Hagerty, 495
Ohio Water Serv. Co. v. Board of Comm'rs, 848, 1301, 1395, 1402, 1415, 1430, 1484, 1524
Ohio Water Serv. Co. v. City of Circleville, 423, 1386, 1387, 1388, 1428
Ohio Water Serv. Co. v. City of Washington (S. Ct. 1936), 1407, 1473, 1483
Ohio Water Serv. Co. v. City of Washington (C.P. 1961), 404, 405, 423, 1387, 1393, 1400, 1409, 1410, 1427, 1435, 1438
O'Neill v. City of Cleveland, 1523
Opdyke v. Security Sav. & Loan Co., 1494
Otten v. City of Cincinnati, 460
Otto v. Whearty, 817

P

Pace v. Village of Walton Hills, 669
Parks v. Cleveland Ry. (S. Ct.), 16, 420, 1161, 1437, 1470, 1471, 1472, 1478
Parks v. Cleveland Ry. (Ct. App.), 16, 420, 1161, 1437, 1472
Partain v. City of Brooklyn, 406, 499
Pathe v. Donaldson, 402, 404, 1435, 1447
Patric v. Village of New Carlisle, 792
Payne v. State *ex rel.* Guitteau, 380, 382
Peltz v. City of South Euclid, 479, 665, 669
Pennsylvania v. Nelson, 754
Penrod v. Woehler, 457, 1129
Perkins v. Stockert, 1276, 1303, 1518

Perkins v. Village of Quaker City, 473, 475
Petermann v. Tepe, 1277
Pfau v. City of Cincinnati, 1247, 1386, 1392, 1398, 1399, 1400, 1449, 1478
Pfeiffer v. Jenkins, 1191
Phillips v. Hume, 71, 415, 417, 481, 1253, 1254, 1260, 1269, 1273, 1277, 1280, 1281, 1282, 1485
Photos v. City of Toledo, 669, 756
Pickering Hardware Co. v. City of Cincinnati, 414
Pierce v. City of Hamilton, 1421, 1423, 1444, 1449
Pincelli v. Ohio Bridge Corp., 1161, 1275, 1279
Pittman v. Home Owners' Loan Corp., 1502
Plummer v. Village of Swanton, 820
Porter v. City of Oberlin (S. Ct.), 658, 662, 663, 666, 670
Porter v. City of Oberlin (Ct. App.), 658, 662, 663
Porter v. Hopkins, 464
Porter v. Ohio Fuel Gas Co. 1407, 1418, 1470, 1478
Powelsland v. City of Toledo, 468, 496, 845, 1407
Powers v. City of Cincinnati, 1277
Priest v. City of Wapakoneta, 55, 402, 404, 1270, 1275, 1386, 1388, 1394, 1398, 1410, 1424, 1425, 1426, 1433, 1435, 1442, 1443, 1450, 1485
Pritz v. Messer, 45, 652, 658, 821, 825, 831
Prudential Co-Operative Realty Co. v. City of Youngstown, 39, 40, 41, 42, 43, 44, 78, 85, 369, 654, 836, 1118, 1134, 1163, 1168, 1537, 1538, 1546
Public Employees Council No. 51 v. University of Cincinnati, 442, 461

Q

Quigley v. Village of Blanchester, 462, 660, 665

R

Ramsey v. City of Columbus, 1453
Rapp v. Bethel-Tate Consolidated School Dist., 1200
R. C. Young & Assoc. v. City of Eastlake, 1452, 1565
Reed v. City of Youngstown, 36, 63, 64, 70, 77, 440, 452, 453, 455, 1138
Reed v. Hensel, 791
Reid v. Architectural Bd. of Review, 658, 666, 669
Reilly v. Conti, 405, 406, 840
Reitz v. Morr, 40, 41, 427, 1520, 1521
Rembrandt v. City of Cleveland, 819
Remy v. Kimes, 25
Renker v. Village of Brooklyn, 658
Reutener v. City of Cleveland, 377, 380, 383, 394, 395, 396, 484
Reynolds v. Commissioners, 430
Reynolds v. United States, 669
Richland County Bd. of Elections v. City of Mansfield, 396, 402
Richter Concrete Corp. v. City of Reading (S. Ct.), 475, 1561
Richter Concrete Corp. v. City of Reading (Ct. App.), 1561
Ricketts v. City of Mansfield, 435, 844, 1386, 1392, 1412, 1467, 1469, 1471, 1472, 1474
Ridgeway v. City of Akron, 73, 398, 400
Rinkes v. Tyler, 686, 789, 817
Roettinger v. City of Cincinnati, 773, 1174
Rogers v. City of Cincinnati (10 Ohio App. 238), 1276
Rogers v. City of Cincinnati (13 Ohio App. 472), 1453
Ross v. Adams Mills Rural School Dist., 1200
Rowe v. Braden, 1189
Rowe v. City of Cincinnati, 820
Rowland v. State, 652
Rowley v. Village of Springdale, 499
Rozner v. Korshak, 810
Russell v. Linton, 485, 490, 493, 500, 839
Russo v. State, 693, 701, 713, 819

S

St. Stephen's Club v. Youngstown Metropolitan Housing Auth., 1518, 1546
Samsey v. Kaufman, 499
Sanders v. Snyder, 40, 42, 822, 824
San Diego Bldg. Trades Council, Millmen's Union, Local 2020 v. Garmon, 751, 752
Santangelo v. City of Cincinnati, 821
Sanzere v. City of Cincinnati, 31, 39, 835, 1270
Sargent v. City of Cincinnati, 424, 425
Sartor v. City of Huron, 490
Sauder v. City of Akron, 484, 485, 491, 492
Savage v. Alvis, 727
Saviers v. Smith, 480, 1167, 1188, 1224
Scheible v. Hogan, 845, 1388, 1404, 1425
Schneiderman v. Sesanstein, 27, 54, 61, 372, 375, 467, 470, 473, 710, 711, 712, 714, 722, 770, 772, 791, 797, 807, 815, 816
Schnoerr v. Miller (S. Ct.), 415, 417, 1205, 1224, 1252, 1271
Schnoerr v. Miller (Ct. App.), 415, 417, 1205, 1224, 1252
Schrenk v. City of Cincinnati, 427, 428, 1530, 1553
Schul v. King, 672, 801, 802, 803
Schultz v. City of Cincinnati (48 Ohio App. 432), 1269
Schultz v. City of Cincinnati (13 Ohio Op. 186 (C.P.)), 405, 406, 499
Schultz v. City of Upper Arlington, 28, 43, 44, 368, 372, 493, 1110, 1118, 1128, 1133, 1520, 1550
Schultz v. Union Gas & Elec. Co., 1474
Schumacher Stone Co. v. Village of Columbus Grove, 1277
Schwartz v. Badila, 713
Schwartz v. City of Youngstown, 659, 689, 771
Sears v. City of Cincinnati, 82
Second Fed. Sav. & Loan Ass'n v. Bowers, 1490
Security Sewage Equip. Co. v. Beebe, 756, 762, 1111, 1126, 1144, 1157, 1405, 1544
Selznick v. Toledo Edison Co., 1432
Shaffer v. Carter, 1238
Sharon Realty Co. v. Westlake, 36, 1284
Shoemaker v. Village of Granville, 1175, 1403, 1442, 1445, 1457
Shook v. Mahoning Valley Sanitary Dist., 62, 85, 1390, 1397, 1400, 1564
Shryock v. City of Zanesville, 404, 487, 490, 498, 1425, 1426, 1432, 1433, 1449
Silvey v. Commissioners, 498, 1114, 1115, 1130, 1512
Simmons v. City of Cleveland Heights, 60, 62, 425, 430
Sinclair v. City of Lakewood, 379, 384, 407, 1200
Skirvin v. Board of Tax Appeals, 1192, 1195, 1506, 1525, 1526
Slingluff v. Weaver, 14, 682, 684
Smack & Smack, Inc. v. City of Mayfield Heights, 1232
Smith v. City of Fremont (S. Ct.), 404, 405, 486, 498, 1266
Smith v. City of Fremont (Ct. App.), 405, 486, 1266
Smith v. City of Mayfield Heights, 444, 449, 743, 810, 1109, 1110, 1128, 1136, 1137, 1139, 1140
Snyder v. Deeds, 1518
Snyder v. Village of McArthur, 420, 1161, 1410, 1431
Society for Sav. v. Bowers, 1491
Society for Sav. v. Peck, 1491
Solly v. City of Toledo, 45, 660, 670, 704
Solomon v. City of Cleveland, 654, 659, 663, 668
South Carolina v. United States, 1491
Southern Pacific Co. v. Arizona, 1132
Southern Sur. Co. v. Moores-Coney Co., 1280

Southwestern Bus Co. v. Village of North Olmsted, 1421, 1423, 1458, 1465, 1557
Sparrow v. City of Columbus, 80, 464, 471, 472, 1532, 1533, 1543, 1547
Spieker v. Board of Rapid Transit Comm'rs, 415, 1252
Spisak v. Village of Solon, 698
Spitzig v. State *ex rel.* Hile, 787
Sposato v. City of Youngstown, 477, 676
Square Deal Coal Haulers & Yardmen's Club, Inc. v. City of Cleveland, 717, 828, 829
Strange v. City of Cleveland, 27, 463, 1452
Stary v. City of Brooklyn (S. Ct.), 658, 689, 690, 696, 698, 699, 704, 705, 706, 755, 756, 764, 765, 766, 771, 773, 1110, 1111, 1144, 1162, 1215
Stary v. City of Brooklyn (C.P.), 690, 755, 764, 765, 766, 771, 773, 1110, 1111, 1144
State v. Allen, 24
State v. Buckley, 658, 666, 667
State v. City of Bowling Green, 1507
State v. Contini, 41, 824, 826, 833
State v. Hess, 689, 694
State v. Hipp, 655, 697, 1164
State v. Kidd, 463
State v. Messenger, 474
State v. O'Mara, 791, 815
State v. Peters, 463, 1451
State v. Roberts, 1167
State v. Shimman, 728
State v. Sidell, 691
State v. Ulm, 678, 683, 691
State v. Vanbarg, 654
State v. Waite, 737, 789
State v. Whisman, 818
State Bd. of Health v. City of Greenville, 12, 19, 21, 48, 81, 784, 785, 1109, 1110, 1114, 1117, 1140, 1144, 1190, 1207, 1406, 1565
State *ex rel.* v. Bargus, 786
State *ex rel.* v. Berry, 395
State *ex rel.* v. Campbell, 397, 440
State *ex rel.* v. Durant, 15, 45, 654, 822, 825, 831
State *ex rel.* v. Lemon, 495, 496
State *ex rel.* Abrams v. Bachrach, 64, 380, 382, 495
State *ex rel.* Adams v. Pendleton, 822, 833
State *ex rel.* Allen v. Ferguson, 1257, 1258, 1259, 1303
State *ex rel.* Allerton Parking Corp. v. City of Cleveland, 403, 433, 434, 436, 1284, 1285, 1293, 1498
State *ex rel.* Allison v. Jones, 63, 64, 66, 73, 385, 390
State *ex rel.* Arey v. Sherrill, 19, 22, 35, 46, 48, 56, 60, 61, 69, 80, 371, 373, 374, 375, 376, 387, 446, 448, 451, 462, 766, 771, 772, 773, 1107, 1110, 1111, 1112, 1116, 1119, 1121, 1123, 1128, 1136, 1137, 1138, 1139, 1152, 1220, 1509
State *ex rel.* Attorney General v. Beacon, 786
State *ex rel.* Attorney General v. Bloch, 23
State *ex rel.* Attorney General v. Covington, 389, 1282
State *ex rel.* Aurand v. Stocklein, 439, 442
State *ex rel.* Automatic Registering Machine Co. v. Green, 28, 29, 392, 394, 396, 1114, 1130
State *ex rel.* Baden v. Gibbons, 62, 63, 72, 386, 389
State *ex rel.* Bailey v. George, 17, 439
State *ex rel.* Barberis v. City of Bay Village, 485, 491, 492
State *ex rel.* Barry v. Griffith, 24, 68, 392
State *ex rel.* Barton v. Board of Elections, 495
State *ex rel.* Bateman v. Zachritz, 401, 830, 1492
State *ex rel.* Beane v. Krebs, 36, 1274

State *ex rel.* Beckstedt v. Eyrich, 491, 497
State *ex rel.* Benjamin v. Brown, 28, 392, 1130
State *ex rel.* Bindas v. Andrish, 37, 47, 62, 66, 72, 73, 385, 388, 403
State *ex rel.* Blackwell v. Bachrach (S. Ct.), 379, 380, 381, 382, 383, 384
State *ex rel.* Blackwell v. Bachrach (C.P.), 384
State *ex rel.* Board of County Comm'rs v. Jenkins, 1271
State *ex rel.* Board of Educ. v. Morris, 1255, 1261
State *ex rel.* Board of Educ. v. Morton, 1178, 1417, 1456, 1536
State *ex rel.* Board of Educ. v. Shafer, 1263, 1264
State *ex rel.* Board of Trustees of Pension Fund v. Board of Trustees of Relief Fund, 27, 30, 451, 462, 463, 1115, 1131, 1138
State *ex rel.* Bradshaw v. Culbertson, 24, 62
State *ex rel.* Brainard v. McConnaughey, 21, 843, 1116
State *ex rel.* Bramblette v. Yordy, 485, 486, 487, 490, 498, 1245
State *ex rel.* Brickell v. Frank, 19, 20, 27, 37, 42, 43, 63, 66, 85, 86, 741, 1546
State *ex rel.* Brownlee v. City of Broadview Heights, 64, 67, 71, 437, 438, 439, 440, 442, 443, 452
State *ex rel.* Bruestle v. Rich, 424, 425, 426, 433, 821, 1260, 1286, 1291, 1292, 1293, 1294, 1295, 1302, 1409, 1427, 1497, 1498, 1529, 1552
State *ex rel.* Brunthaver v. Bauman, 404, 498
State *ex rel.* Bry v. Kirk, 494
State *ex rel.* Bryant v. Akron Metropolitan Park Dist., 1517, 1518, 1565
State *ex rel.* Buddenberg v. Tooker, 677
State *ex rel.* Buescher v. Linton, 27, 30, 1122, 1547
State *ex rel.* Burnett v. Ducy, 398
State *ex rel.* Burns v. Clark, 455, 456, 1142, 1542
State *ex rel.* Burton v. Greater Portsmouth Growth Corp., 1292, 1304
State *ex rel.* Buxton v. Dalzell, 67, 443
State *ex rel.* Calvert v. Hillenbrand, 388
State *ex rel.* Campbell v. Cincinnati St. Ry., 1260, 1265, 1297, 1300, 1397, 1412, 1414, 1415, 1423, 1430, 1435, 1437, 1442, 1444, 1470
State *ex rel.* Canada v. Phillips (S. Ct.), 22, 44, 47, 56, 65, 68, 70, 77, 81, 371, 372, 374, 387, 437, 440, 441, 446, 447, 448, 450, 451, 452, 454, 455, 456, 457, 458, 462, 773, 775, 1107, 1109, 1111, 1117, 1119, 1120, 1123, 1129, 1138, 1139, 1140, 1207, 1510
State *ex rel.* Canada v. Phillips (Ct. App.), 451
State *ex rel.* Castle Nat'l, Inc. v. Village of Wickliffe, 833
State *ex rel.* Caton v. Anderson, 1161, 1278, 1279, 1286, 1296
State *ex rel.* Central Outdoor Advertising Co. v. Leonard, 16, 822, 826
State *ex rel.* Chandler v. Jackson, 1387, 1421, 1422, 1423, 1437
State *ex rel.* Cherrington v. Hutsinpiller, 20, 21, 23, 36, 39, 459, 1108, 1129
State *ex rel.* Cincinnati Garage Co. v. Bird, 480
State *ex rel.* Cist v. City of Cincinnati, 371, 387
State *ex rel.* City of Akron v. Slusser, 1264, 1265
State *ex rel.* City of Cleveland v. Gesell, 1262, 1263, 1264, 1265
State *ex rel.* City of Cleveland v. Masheter, 481, 1511, 1513
State *ex rel.* City of Cleveland Heights v. Frazine, 1504

State *ex rel.* City of Dayton v. Bish, 411, 412, 480, 1201, 1204, 1262, 1264
State *ex rel.* City of Fostoria v. King, 404, 405, 490, 498, 499, 1425, 1426, 1432, 1433, 1449, 1453
State *ex rel.* City of Hamilton v. Public Util. Comm'n, 1484
State *ex rel.* City of Highland Heights v. Kee, 25, 389
State *ex rel.* City of Lakewood v. Bernsteen, 384
State *ex rel.* City of Mansfield v. Lowrey, 402, 404
State *ex rel.* City of Middletown v. City Comm'n, 382, 491, 1256, 1432, 1438, 1440
State *ex rel.* City of Portsmouth v. Kountz, 1197, 1198, 1250, 1255, 1261, 1262
State *ex rel.* City of Toledo v. Board of Elections, 497
State *ex rel.* City of Toledo v. Cooper, 17, 23, 364, 367, 371, 372, 373, 409, 410, 411, 414, 424, 1122, 1201, 1202, 1203, 1208, 1216, 1251
State *ex rel.* City of Toledo v. Lynch, 13, 17, 18, 22, 27, 33, 34, 37, 40, 47, 48, 55, 56, 59, 85, 367, 368, 405, 1125, 1286, 1287, 1289, 1290, 1292, 1390, 1422, 1423
State *ex rel.* City of Toledo v. Weiler, 34, 37, 411, 415, 416, 417, 481, 1198, 1204, 1205, 1206, 1216, 1224, 1246, 1252, 1253, 1265, 1268, 1269, 1284, 1386, 1388, 1399, 1400, 1409, 1421, 1423, 1425, 1429, 1441, 1444
State *ex rel.* Clemmer & Johnson Co. v. Turner, 435, 1513
State *ex rel.* Cleveland City Council v. Board of Elections, 22, 36, 37, 38, 402, 486, 1244
State *ex rel.* Cleveland Elec. Illuminating Co. v. City of Euclid, 847, 1148, 1151, 1152, 1408
State *ex rel.* Cleveland Municipal Court v. Cleveland City Council, 19, 23, 30, 458, 1130, 1207, 1509
State *ex rel.* Clifton Highland Co. v. City of Lakewood, 822
State *ex rel.* Conn v. Noble, 484, 493
State *ex rel.* Conner v. Noctor, 392, 393
State *ex rel.* Copland v. City of Toledo, 480
State *ex rel.* Corrigan v. Tudhope, 401
State *ex rel.* Corrigan v. Wheeler, 25, 389
State *ex rel.* Cozart v. Carran, 701, 715
State *ex rel.* Crabtree v. Eichelberger, 70, 449, 1136, 1138
State *ex rel.* Cribbet v. Ziegler, 1266
State *ex rel.* Cronin v. Wald, 66, 73, 415, 418, 429, 481, 1206, 1251, 1252, 1253, 1254, 1260, 1269, 1270, 1273, 1274, 1281, 1282, 1283, 1284, 1410, 1485
State *ex rel.* Currin v. Industrial Comm'n, 464
State *ex rel.* Curtis v. DeCorps, 70, 442
State *ex rel.* Cutright v. Akron Civil Serv. Comm'n, 69, 448
State *ex rel.* Dahmen v. City of Youngstown, 455, 1542
State *ex rel.* Daley v. City of Parma, 27, 30, 1122, 1190, 1262, 1547
State *ex rel.* Daly v. City of Toledo, 70, 77, 372, 447, 448, 449, 451, 455, 462, 1110, 1119, 1123, 1128, 1136, 1137, 1138, 1139
State *ex rel.* Daniels v. Council of City of Portsmouth, 380, 485, 488
State *ex rel.* Davis Investment Co. v. City of Columbus, 401, 404, 827, 833
State *ex rel.* Del Monte v. Woodmansee, 833, 840
State *ex rel.* Dennis v. Miller, 497
State *ex rel.* Devine v. Hoermle, 62, 63, 73, 385, 390

State *ex rel.* Didelius v. City Comm'n, 490, 1437, 1439, 1444, 1445
State *ex rel.* Diehl v. Abele, 1437, 1439, 1445
State *ex rel.* Diversified Realty, Inc. v. Board of Trustees, 496
State *ex rel.* Doerfler v. Otis, 36, 38, 63, 64, 66, 85, 86, 386, 387, 488, 489, 1265, 1397, 1400, 1423, 1436
State *ex rel.* Doerfler v. Price, 1516
State *ex rel.* Donahue v. City of Bellbrook, 494
State *ex rel.* Durbin v. Smith, 406
State *ex rel.* Eaton v. Price, 656, 670
State *ex rel.* Eichenberger v. Neff, 1304
State *ex rel.* Elchlinger v. Ramser, 36, 62, 440, 453
State *ex rel.* Ellis v. Blakemore, 29, 429, 481, 742, 823, 1114, 1116, 1131, 1132, 1150, 1511, 1523, 1538, 1539
State *ex rel.* Ellis v. Sherrill, 1496
State *ex rel.* Ellis v. Urner, 401, 403, 404
State *ex rel.* Endress v. Wellington, 496
State *ex rel.* Euclid-Doan Bldg. Co. v. Cunningham, 659
State *ex rel.* Fairmount Center Co. v. Arnold, 62, 64, 66, 402, 822, 827, 833, 834, 838
State *ex rel.* Ferris v. Shaver, 1521
State *ex rel.* Flagg v. City of Bedford, 1286, 1292, 1293, 1296
State *ex rel.* Flask v. Collins, 63, 64, 390
State *ex rel.* Forchheimer v. LeBlond, 24, 1396, 1401, 1416
State *ex rel.* Fox v. Yeatman, 23
State *ex rel.* Frame v. Council of City of Wapakoneta, 384, 1437, 1440
State *ex rel.* Frankenstein v. Hillenbrand, 388, 396
State *ex rel.* Fritz v. Gongwer, 1518
State *ex rel.* Froehlich & Emery Engineering Co. v. Evans, 1451
State *ex rel.* Gaede v. Guion, 827
State *ex rel.* Gamble v. Duffy, 394, 396
State *ex rel.* Gardner v. Smith, 495, 496
State *ex rel.* Geletka v. City of Campbell, 406, 840
State *ex rel.* Gerhardt v. Krehbiel, 397
State *ex rel.* German American Publishing & Printing Co. v. Wall, 1279
State *ex rel.* Giovanello v. Village of Lowellville, 37, 372, 437, 439, 447, 1109, 1123, 1136, 1138, 1139
State *ex rel.* Gongwer v. Graves, 495
State *ex rel.* Gordon v. Rhodes (156 Ohio St. 81), 20, 37, 368, 416, 417, 425, 429, 430, 742, 1128, 1160, 1254, 1256, 1258, 1259, 1262, 1266, 1268, 1286, 1288, 1291, 1292, 1294, 1422, 1424, 1443, 1511
State *ex rel.* Gordon v. Rhodes (158 Ohio St. 129), 480, 1163, 1166, 1168, 1169, 1175, 1257, 1258, 1259
State *ex rel.* Gordon v. Taylor, 422, 661, 1253, 1276, 1413, 1417, 1418, 1455, 1500, 1512, 1549, 1563
State *ex rel.* Graham v. Pestrak, 384
State *ex rel.* Gulf Refining Co. v. DeFrance (89 Ohio App. 1), 21, 36, 37, 62, 64, 65, 66, 400, 822, 833, 834, 839
State *ex rel.* Gulf Refining Co. v. DeFrance (89 Ohio App. 334), 37, 822
State *ex rel.* Hackley v. Edmonds, 14, 16, 371, 372, 386, 391, 397, 450, 1106, 1128, 1136
State *ex rel.* Haffey v. Miller, 397
State *ex rel.* Haffner v. Green (S. Ct.), 36, 70, 393, 395
State *ex rel.* Haffner v. Green (Ct. App.), 36
State *ex rel.* Halsey v. Ward, 1521, 1537

State *ex rel.* Hannan v. Spitler, 40, 41, 42, 654, 1541, 1542
State *ex rel.* Hanton v. City of Cleveland (S. Ct.), 31, 73, 442, 452
State *ex rel.* Hanton v. City of Cleveland (Ct. App.), 73, 442, 452
State *ex rel.* Hattery v. City of Columbus, 397, 437, 438, 439, 442, 445
State *ex rel.* Hauck v. Bachrach, 28, 56, 57, 60, 61, 63, 64, 73, 386, 387, 459
State *ex rel.* Heer v. Butterfield, 37, 379
State *ex rel.* Heffernan v. Serp., 28, 31, 32, 443
State *ex rel.* Helsel v. Board of County Comm'rs, 767, 823, 1111, 1114, 1116, 1135, 1388, 1391, 1401, 1402, 1406, 1421 1423, 1519, 1539, 1544
State *ex rel.* Henry v. Civil Serv. Comm'n, 24, 62, 67, 442, 459
State *ex rel.* Hepperla v. Glander, 1192, 1193, 1504, 1505
State *ex rel.* Higgins v. George, 448
State *ex rel.* Hile v. Baker, 436
State *ex rel.* Hile v. City of Cleveland, 401, 404, 406, 498, 1268, 1387, 1423
State *ex rel.* Hinchliffe v. Gibbons, 23, 380, 383, 388
State *ex rel.* Holbrock v. Egry, 389
State *ex rel.* Holloway v. Rhodes, 442
State *ex rel.* Holmes v. Thatcher, 23, 390
State *ex rel.* Horvath v. Haber, 393, 395
State *ex rel.* Howland v. Krause, 1544
State *ex rel.* Hubbell v. Miller, 494
State *ex rel.* Hubbell v. Zaller, 24, 68, 392
State *ex rel.* Hunt v. Fronizer, 1280
State *ex rel.* Hunter v. Erickson, 36, 667, 673
State *ex rel.* Ice & Fuel Co. v. Kreuzweiser, 827
State *ex rel.* Indian Hill Acres, Inc. v. Kellogg, 1418, 1419, 1462, 1463, 1464, 1466, 1563
State *ex rel.* Industrial Comm'n v. Steel, 1264
State *ex rel.* Jackson v. Dayton City Comm'n, 67, 441, 442, 443, 445, 449
State *ex rel.* Janasik v. Sarosy, 495, 496
State *ex rel.* Janes v. Brown, 1226
State *ex rel.* Janik v. Board of Elections, 1431, 1437
State *ex rel.* Johns v. Bruss, 406, 407
State *ex rel.* Kahle v. Rupert, 496, 497
State *ex rel.* Kahler-Ellis Co. v. Cline, 40, 654, 665
State *ex rel.* Kauer v. Defenbacher, 1303
State *ex rel.* Kearns v. Ohio Power Co., 1511, 1539
State *ex rel.* Keville v. Faurot, 385, 392
State *ex rel.* Kipker v. City of Lima, 71, 439, 444
State *ex rel.* Kitchen v. Christman, 1259, 1261, 1274, 1282
State *ex rel.* Kittel v. Bigelow, 381, 1436, 1440
State *ex rel.* Klapp v. Dayton Power & Light Co. (S. Ct.), 470, 848, 1408, 1481, 1483
State *ex rel.* Klapp v. Dayton Power & Light Co. (113 Ohio App. 433), 1483
State *ex rel.* Klapp v. Dayton Power & Light Co. (11 Ohio App. 2d 64), 848, 1481, 1483
State *ex rel.* Kling v. Nielsen, 62, 66, 67, 833, 834
State *ex rel.* Knisely v. Jones, 31, 786
State *ex rel.* Kook v. Civil Serv. Comm'n, 77, 441, 442, 444
State *ex rel.* Kudrick v. Meredith, 25, 795

State *ex rel.* Kuhlman v. City of Cincinnati, 822, 826
State *ex rel.* Kurtz v. Shaffer, 484, 496
State *ex rel.* Lampson v. Cook, 1189, 1207
State *ex rel.* Lautz v. Diefenbach, 490
State *ex rel.* Leach v. Price, 461, 1286, 1298
State *ex rel.* Leach v. Redick, 37, 39, 63, 65, 66, 430, 433, 1272, 1284, 1285, 1484, 1485
State *ex rel.* Leaverton v. Kerns, 1303
State *ex rel.* Lentz v. Edwards, 436, 437, 439, 440, 450, 451, 457, 459, 1136
State *ex rel.* Lieux v. Village of Westlake, 833
State *ex rel.* Linden v. Davis, 24
State *ex rel.* Lipovsky v. Kizak, 405, 407, 498, 499, 1245
State *ex rel.* Lipson v. Hunter, 1450, 1558
State *ex rel.* Lloyd v. Hurd, 1171, 1176, 1177, 1178, 1456
State *ex rel.* Locke v. Turner, 498
State *ex rel.* Lowry v. Weiss, 497
State *ex rel.* Lynch v. City of Cleveland, 365, 371, 373, 374, 450, 451, 454, 1107, 1122, 1137
State *ex rel.* Markel v. City of Columbus, 1197, 1198, 1263
State *ex rel.* McBride Deckebach, 40, 676, 756, 819
State *ex rel.* McCann v. City of Definance (S. Ct.), 79, 1181, 1387, 1391, 1395, 1400, 1402, 1404, 1412, 1418, 1453, 1457, 1458, 1462, 1464
State *ex rel.* McCann v. City of Defiance (S. Ct.), 79, 1181, 1458, 1462, 1464
State *ex rel.* McClure v. Hagerman, 22, 37, 65, 1272, 1286, 1287, 1289, 1290, 1291, 1292, 1293, 1294, 1514
State *ex rel.* McCormick v. Fouts, 381, 382, 384
State *ex rel.* McElroy v. City of Akron (S. Ct.), 15, 761, 762, 767, 795, 805, 1110, 1111, 1126, 1144, 1150, 1156, 1157, 1163, 1169, 1208, 1406, 1413
State *ex rel.* McElroy v. City of Akron (C.P.), 1413
State *ex rel.* McGovern v. Board of Elections, 381, 388, 394, 395, 396
State *ex rel.* McGraw v. Smith, 1277
State *ex rel.* McKay v. Board of Elections, 31, 32, 1520
State *ex rel.* McLain v. Bailey, 1440, 1444
State *ex rel.* Merydith Constr. Co. v. Dean, 81, 1117, 1141, 1262, 1265, 1406, 1509
State *ex rel.* Mick v. Burke, 379
State *ex rel.* Mika v. Lemon, 485, 493, 494
State *ex rel.* Miller v. Price, 412, 1187, 1239, 1501
State *ex rel.* Mitchell v. Council of Village of Milan, 489, 1431, 1432, 1434, 1439, 1470
State *ex rel.* Moock v. City of Cincinnati, 418, 657, 1143, 1160
State *ex rel.* Morgan v. Rusk, 17, 1279
State *ex rel.* Mt. Sinai Hospital v. Hickey, 1176, 1296, 1302, 1413, 1417, 1418, 1454, 1455
State *ex rel.* Mowrer v. Underwood (S. Ct.), 447, 455, 456, 459, 809, 1110, 1114, 1117, 1142, 1143, 1144, 1150, 1541, 1542
State *ex rel.* Mowrer v. Underwood (Ct. App.), 456, 809, 1142, 1541
State *ex rel.* Mrozik v. City of Brunswick, 441, 443, 453
State *ex rel.* Mullin v. City of Mansfield, 76, 441, 455, 460, 486
State *ex rel.* Neal v. Williams, 80, 1117, 1141, 1508
State *ex rel.* Nicholl v. Miller, 490, 497, 1433
State *ex rel.* Nimon v. Village of Springdale, 485, 494, 495

State *ex rel.* O'Driscoll v. Cull, 447, 451, 456, 462, 1110, 1119, 1136, 1137, 1138, 1139
State *ex rel.* Ohio Hair Products Co. v. Rendigs, 657, 663
State *ex rel.* Ohio Nat'l Bank v. Village of Hudson, 1198, 1262, 1264
State *ex rel.* Ohio Turnpike Comm'n v. Allen, 481, 823, 1114, 1116, 1131, 1132, 1150, 1257, 1511, 1539
State *ex rel.* Osborne v. Williams, 415, 481, 1253
State *ex rel.* Pawlowicz v. Edy (S. Ct.), 36, 38, 386, 448
State *ex rel.* Pawlowicz v. Edy (Ct. App.), 36
State *ex rel.* Pecyk v. Greene, 385, 394, 396
State *ex rel.* Perk v. Cotner, 380, 382
State *ex rel.* Petit v. Wagner, 47, 49, 56, 57, 58, 59, 61, 65, 74, 76, 373, 385, 386, 390, 402, 432, 433, 434, 453, 454, 455, 485, 838, 1108, 1115, 1270, 1282, 1286, 1289, 1398, 1485
State *ex rel.* Pinzone v. City of Cleveland, 27, 463, 1560
State *ex rel.* Platz v. Mucci, 389
State *ex rel.* Polcyn v. Burkhart, 383
State *ex rel.* Pontius v. Northern Ohio Traction & Light Co., 1472, 1480
State *ex rel.* Poor v. Addison, 379, 382, 494
State *ex rel.* Portmann v. City Council of Massillon, 489, 1386, 1410, 1431, 1432, 1434, 1437, 1439, 1440, 1470, 1478
State *ex rel.* Prentice v. City of Middleburg Heights, 443, 444, 452, 1136
State *ex rel.* Public Institutional Bldg. Auth. v. Griffith, 1258, 1259
State *ex rel.* Public Institutional Bldg. Auth. v. Neffer, 1259
State *ex rel.* Ramey v. Davis, 19, 23, 30, 459, 831, 1108, 1114, 1115, 1117, 1129, 1130, 1131, 1150, 1207, 1509
State *ex rel.* Randel v. Scott, 69, 448
State *ex rel.* Reeves v. Hillyer, 1432, 1453
State *ex rel.* Rhodes v. Board of Elections, 29, 491, 1106
State *ex rel.* Rodocker v. Schroy, 385
State *ex rel.* Roettinger v. City of Cincinnati, 1282
State *ex rel.* Rosch v. Board of Elections, 382
State *ex rel.* Rose v. Ryan, 64, 70, 393, 396, 1536
State *ex rel.* Ryan v. Kerr (S. Ct.), 71, 72, 438, 439, 441
State *ex rel.* Ryan v. Kerr (Ct. App.), 71, 72, 438, 439, 441
State *ex rel.* Samuelson v. Conrad, 380, 381, 383
State *ex rel.* Saxbe v. Brand, 1303, 1304
State *ex rel.* Schell v. Abbott, 490, 495, 1433, 1439, 1449
State *ex rel.* Schiederer v. Preston, 480
State *ex rel.* Schindel v. Rowe, 824, 840
State *ex rel.* Schmidter v. Hillenbrand, 388
State *ex rel.* Schorr v. Kennedy, 406
State *ex rel.* Schramm v. Ayres, 1522
State *ex rel.* Schultz v. Carrel, 497
State *ex rel.* Scott v. Masterson, 36, 396
State *ex rel.* Sergi v. City of Youngstown, 654, 703
State *ex rel.* Shafer v. Otter, 414
State *ex rel.* Sharpe v. Hitt, 378, 404, 405, 483, 485, 491, 492, 499, 500, 1245
State *ex rel.* Sheldon Gas Co. v. Board of Elections, 1431, 1437, 1440, 1470, 1471, 1478

State *ex rel.* Sherrill v. Brown, 394, 395
State *ex rel.* Silvey v. Miami Conservancy Dist., 1518
State *ex rel.* Singer v. Cartledge, 62, 484, 486
State *ex rel.* Skinner Engine Co. v. Kouri, 1430, 1447
State *ex rel.* Smith v. City of Fremont, 482, 499
State *ex rel.* Smith v. Lloyd, 392, 397
State *ex rel.* Snyder v. Board of Elections, 483, 488, 491, 498, 1244
State *ex rel.* Southard v. City of Columbus, 81, 1117, 1141, 1145, 1406, 1508
State *ex rel.* Southard v. City of Van Wert, 81, 1117, 1141, 1145, 1200, 1267, 1406, 1508, 1509
State *ex rel.* Sparks v. Kroeger, 39, 392, 393, 396
State *ex rel.* Speeth v. Carney, 1135, 1190, 1263, 1271, 1301, 1302, 1391, 1402, 1415, 1468, 1545, 1548
State *ex rel.* Spratley v. Jones, 498, 1245
State *ex rel.* Stanley v. Bernon, 23, 24, 390, 392, 393
State *ex rel.* Stanley v.City Council of Avon, 1438, 1440
State *ex rel.* State Bridge Comm'n v. Griffith, 1257
State *ex rel.* Stoeckle v. Jones, 1253, 1445, 1454
State *ex rel.* Stokes v. Probate Court, 399
State *ex rel.* Strain v. Houston (S. Ct.), 21, 22, 27, 31, 79, 80, 81, 368, 371, 372, 374, 445, 446, 447, 451, 452, 456, 462, 463, 1110, 1111, 1117, 1126, 1136, 1137, 1138, 1139, 1140, 1509, 1510
State *ex rel.* Strain v. Houston (Ct. App.), 80, 445, 773, 775, 1338, 1440
State *ex rel.* Struble v. Davis, 1191, 1504
State *ex rel.* Sullivan v. Village of Middleburg Heights, 57, 404, 455
State *ex rel.* Sun Oil Co. v. City of Euclid, 62, 65, 66, 402, 423, 424, 426
State *ex rel.* Sweeney v. Michell, 36, 1389, 1428, 1432, 1436, 1439, 1467, 1470, 1471
State *ex rel.* Taiclet v. Cull, 448
State *ex rel.* Taylor v. French, 20, 28, 36, 392, 394, 396, 835, 1114, 1128
State *ex rel.* Tejan v. Milby, 1161, 1279, 1296
State *ex rel.* Tester v. Board of Elections, 405, 485, 498, 1438
State *ex rel.* Thomas v. Heuck, 1200
State *ex rel.* Thomas v. Semple, 22, 37, 1287, 1289, 1293, 1295, 1514
State *ex rel.* Thompson v. Wall, 23, 30, 390
State *ex rel.* Tietje v. Collett, 489, 1431, 1437, 1440
State *ex rel.* Trettien v. Mahon, 71, 441
State *ex rel.* Urschel v. Coller, 16, 59, 386, 1386, 1388, 1451
State *ex rel.* Village of Cuyahoga Heights v. Zangerle, 81, 775, 1114, 1117, 1141, 1207, 1518, 1536, 1541
State *ex rel.* Village of Leipsic v. Moenter, 1182, 1189, 1201, 1204, 1249
State *ex rel.* Village of Manchester v. Shriver, 430, 431, 1284, 1485, 1486
State *ex rel.* Village of Pleasant Ridge v. Kellerman, 404, 405
State *ex rel.* Village of Upper Sandusky v. Snyder, 1435
State *ex rel.* Vogt v. Donahey, 399, 444
State *ex rel.* Votaw v. Matia, 67, 72, 439, 442
State *ex rel.* Vrooman v. Kaufman, 382, 383
State *ex rel.* Wallace v. City of Celina, 23, 390

State *ex rel.* Waltz v. Michell, 380, 382
State *ex rel.* Watkins v. Donahey, 397, 399
State *ex rel.* Wayne Township Civic Ass'n v. Montgomery County Bd. of County Comm'rs, 1521
State *ex rel.* Wear v. Cincinnati & L.E.R.R., 470, 848, 1145, 1408, 1411, 1481, 1482, 1483
State *ex rel.* Weaver v. Wiethe, 63, 393, 396
State *ex rel.* Wehr v. Council of City of Bellevue, 1432, 1437, 1440
State *ex rel.* Welsh v. Hoffman, 24, 437, 438, 459, 1129
State *ex rel.* Werner v. Koontz, 379, 380, 381, 488, 490
State *ex rel.* West v. Hudson, 1278
State *ex rel.* White v. City of Cleveland, 434, 1418, 1424, 1558
State *ex rel.* Wickline v. Jenkinson, 391, 397
State *ex rel.* Williams v. Glander, 1188, 1191, 1193, 1503, 1506
State *ex rel.* Wilson v. Hance, 1300, 1414, 1418, 1459, 1461, 1464, 1465, 1466
State *ex rel.* Wingerter v. City Council of Canton, 1422, 1424, 1434
State *ex rel.* Winters v. Applegate, 494, 495, 497
State *ex rel.* Wolfe v. Atcherson, 1277
State *ex rel.* Wuebker v. Bockrath, 1518
State *ex rel.* Wynne v. Urban, 70, 448, 686, 718, 756
State *ex rel.* Zielonka v. Carrel (99 Ohio St. 220), 408, 410, 411, 412, 431, 1158, 1159, 1188, 1202, 1204, 1206, 1208, 1216, 1217, 1222, 1223, 1226, 1234
State *ex rel.* Zielonka v. Carrel (103 Ohio St. 50), 430, 431, 432, 1284
State *ex rel.* Zone Cab Corp. v. Petrash, 842
State *ex rel.* Zugravu v. O'Brien, 650, 1280
Steele v. State, 815
Stein v. Erie County Comm'rs, 1519
Stern v. City of Cincinnati, 1288, 1293
Stern v. City of Columbus, 408, 411, 1159, 1163, 1166, 1169
Stiving v. Village of Pioneer, 16, 465, 466
Stockwell v. City of Columbus, 410, 412, 1184, 1186, 1222, 1234, 1237, 1240, 1242, 1243, 1247
Stone *ex rel.* Village of Manchester v. Osborn, 402, 404, 431, 1435, 1485, 1486
Storegard v. Board of Elections, 491, 495, 496, 497, 500
Strahan v. City of Aurora, 1454
Strauss v. Village of Conneaut, 677, 695
Stredelman v. City of Cincinnati, 409, 1227
Stuver v. East Ohio Gas Co., 1387, 1389, 1413, 1471
Suburban Real Estate Co. v. Village of Silverton, 16, 1388, 1390, 1429
Sullivan v. City of Shreveport, 656
Sullivan v. Civil Serv. Comm'n, 387, 449, 1107, 1110, 1112, 1121, 1123, 1136, 1137, 1138, 1139
Sun Oil Co. v. Board of Zoning Appeals, 826, 831
Superior Films, Inc. v. Department of Educ., 1168
Superior Laundry & Towel Supply Co. v. City of Cincinnati, 425
Swank v. Village of Shiloh, 1176, 1400, 1413, 1417, 1454, 1455
Switzer v. State *ex rel.* Silvey 33, 35, 61, 378
Sylvania Busses, Inc. v. City of Toledo, 791, 792, 845, 1147, 1518

T

Tamele v. Brinkman, 404, 485, 499, 500
Taylor v. City of Cleveland, 27, 62, 449, 452, 463, 743, 1110, 1114, 1117, 1120, 1136, 1137, 1140

Taylor v. City of Toledo, 468, 845, 1407
Taylor v. Commissioners, 1301, 1415
Taylor v. Hydell, 791
Terry v. City of Toledo, 670, 845
Texas *ex rel.* Pan American Production Co. v. City of Texas City, 1134
Thale v. City of Cincinnati, 1254
Thomas v. State *ex rel.* Gilbert, 419
Thomas Cusack Co. v. City of Chicago, 662
Thompson v. City of Cincinnati (S. Ct.), 412, 413, 1185, 1187, 1211, 1234, 1235, 1239, 1241, 1502, 1552
Thompson v. City of Cincinnati (C. P.), 1241
Thompson v. City of Marion, 85, 1293, 1296
Thompson v. City of Mount Vernon, 725
Tiernan v. City of Cincinnati, 441
Toledo, B.G. & S. Traction Co. v. Public Util. Comm'n, 1476
Toledo C. & O. River R.R. v. Miller, 16, 653, 664, 795, 1147
Toledo Disposal Co. v. State, 653, 695, 1467, 1510, 1558
Toledo & O. C. Ry. v. Village of Hartford, 1276
Tolliver v. City of Newark, 476
Town of Green River v. Fuller Brush Co., 800
Travelers Ins. Co. v. Village of Wadsworth (S. Ct.), 418, 419, 1160, 1387, 1389, 1396, 1404, 1447, 1448, 1462, 1558
Travelers Ins. Co. v. Village of Wadsworth (Ct. App.), 418, 1160, 1448
Trees v. Loomis, 431, 434, 1272, 1278, 1285, 1484, 1485, 1486
Trustees of Cincinnati S. Ry. v. Roth, 83, 1191, 1192, 1502, 1503
Trustees of Dartmouth College v. Woodward, 1416
Tuber v. Perkins, 824

U

Underwood v. Isham, 20, 24, 29, 32, 459, 742, 756, 1114, 1129
Union Cemetery Ass'n v. City of Columbus, 29, 368, 372, 424, 425, 757, 775, 1132, 1530, 1554
Union Gas & Elec. Co. v. City of Cincinnati (Ct. App.), 1432, 1474, 1478
Union Gas & Elec. Co. v. City of Cincinnati (C.P.), 1282
Union Sand & Supply Corp. v. Village of Fairport, 16, 57, 365, 472, 473, 476, 711, 791, 1122, 1132, 1146
Union Sav. Bank & Trust Co. v. Village of Norwood, 480
United Fuel Gas Co. v. City of Ironton, 46, 47, 376, 841, 842, 844, 1385, 1391, 1393, 1412, 1416, 1417, 1471, 1474, 1476, 1477, 1478, 1479
United States v. Allegheny County, 1488
United States v. California, 1493
United States v. City of Detroit, 1488
United States Bung Mfg. Co. v. City of Cincinnati (Ct. App.), 479, 1498
United States Bung Mfg. Co. v. City of Cincinnati (C.P.), 479
United States (Farm Credit Admin.) v. Board of Tax Appeals, 1488, 1489
United States Fidelity & Guar. Co. v. Guenther, 693, 701, 713, 815, 819
Universal Machine Co. v. Ohio Northern Pub. Serv. Co., 842
University Hospitals v. City of Cleveland, 1523

V

Vair v. City of Ravenna, 75, 76, 386, 455, 460
Valley View Village, Inc. v. Proffett, 821, 826, 831, 833
Van Brocklin v. Tennessee, 1488
Vansuch v. State *ex rel.* Fetch, 406, 407, 498

Vaughn v. City of Parma, 475
Village of Beachwood v. Board of Elections, 26, 28, 40, 44, 369, 370, 372, 373, 1110, 1118, 1128, 1133, 1150, 1153, 1520, 1550
Village of Beachwood v. Ohio Cas. Ins. Co., 1278
Village of Bethesda v. Mallonee, 1277
Village of Blue Ash v. City of Cincinnati (S. Ct.), 57, 82, 423, 426, 427, 428, 476, 477, 478, 1134, 1387, 1389, 1394, 1395, 1400, 1409, 1416, 1421, 1423, 1424, 1427, 1428, 1460, 1530, 1531, 1533, 1534, 1535, 1550, 1552, 1553, 1554, 1555, 1557, 1558, 1560, 1563
Village of Blue Ash v. City of Cincinnati (Ct. App.), 1394, 1428, 1553, 1554
Village of Blue Ash v. City of Cincinnati (C.P.), 1553, 1555
Village of Brewster v. Hill (128 Ohio St. 354), 39, 393
Village of Brewster v. Hill (128 Ohio St. 343), 1260, 1298, 1300, 1395, 1415, 1423, 1424, 1446
Village of Brook Park v. City of Cleveland, 28, 38, 86, 1115, 1119, 1133, 1551
Village of Cuyahoga Heights v. City of Cleveland, 1448, 1455
Village of Dennison v. Martin, 1421, 1423, 1452, 1459, 1467, 1563, 1565
Village of Deshler v. Hoops, 658, 666, 669, 673
Village of Eastlake v. Davis, 1279, 1281
Village of Englewood v. Bettis, 772, 793
Village of Euclid v. Amber Realty Co., 821, 826
Village of Euclid v. Bramley, 651, 783
Village of Euclid v. Camp Wise Ass'n, 13, 21, 84, 1384, 1385, 1398, 1400, 1413, 1456
Village of Fairlawn v. Preston, 29, 481, 1511
Village of Gates Mills v. Board of Park Comm'rs, 756, 1532, 1547
Village of Grover Hill v. McClure, 40, 368, 371
Village of Hicksville v. Blakeslee, 1276, 1277
Village of Hiram v. Conner, 691, 705, 736, 774, 789
Village of Kent v. Dithridge & Smith Cut Glass Co., 435, 1293, 1296
Village of Lakeville v. City of Conneaut, 1390, 1430, 1460, 1461, 1480, 1563
Village of Lakeville v. Palmer, 28
Village of Leipsic v. Folk, 794, 797, 799
Village of Lowellville v. East End Traction Co., 1481, 1483
Village of Millersburg v. Wurdach, 1277
Village of Mogadore v. Coe, 801, 803
Village of Monroeville v. Ward, 24
Village of New Boston v. Public Util. Comm'n, 1385, 1412, 1476
Village of Newburgh Heights v. French, 28
Village of Newcomerstown v. Consolidated Gas Co. 1471, 1472, 1480
Village of Newcomerstown v. State *ex rel.* Blatt, 390, 405
Village of New Knoxville v. Knoxville Elec. Co., 843, 1411, 1472
Village of North College Hill v. Woebkenberg, 801, 803
Village of Norwood v. Baker, 1250
Village of Oak Harbor v. Oak Harbor Nat. Gas Co., 1481
Village of Oak Harbor v. Public Util. Comm'n, 843, 1470, 1482
Village of Ottawa Hills v. Joelson, 836, 1159, 1210, 1211, 1234, 1236
Village of Perrysburg v. Ridgway, 15, 34, 35, 37, 38, 55, 56, 59,

65, 369, 372, 376, 467, 468, 469, 470, 477, 654, 834, 838, 841, 844, 1114, 1120, 1125, 1145, 1146, 1287, 1483
Village of Pleasant Ridge v. Dayton Limestone Co., 1277, 1278, 1279
Village of Port Clinton v. Fall, 480
Village of Ravenna v. Pennsylvania Co., 12, 650
Village of Richmond Heights v. Board of County Comm'rs, 82, 1530, 1531, 1534, 1555
Village of St. Clairsville v. Public Util. Comm'n, 843, 1483
Village of South Euclid v. Bilkey, 390
Village of Struthers v. Sokol, 15, 68, 69, 375, 652, 659, 684, 685, 686, 687, 691, 703, 706, 707, 711, 714, 719, 721, 725, 726, 730, 731, 733, 734, 736, 739, 757, 762, 777, 781, 782, 783, 784, 828, 1115
Village of Valley View v. Rockside Hideaway Sanitary Landfill, Inc., 755, 772, 847
Village of Walton Hills v. Cleveland Elec. Illuminating Co., 1149, 1151, 1154
Village of Waterville v. Spencer Township, 1246
Village of West Jefferson v. Robinson, 16, 60, 79, 652, 666, 671, 673, 712, 753, 759, 771, 773, 774, 779, 783, 787, 795, 799, 800, 802, 808, 837, 1115, 1122, 1152, 1214, 1403
Village of Westlake v. Elrick, 822
Village of Willoughby Hills v. Board of Park Comm'rs, 412, 1186, 1500, 1502, 1517, 1524
Village of Willoughby Hills v. Corrigan, 21, 822, 825, 1114, 1126, 1135, 1497, 1537
Village of Wintersville v. Argo Sales Co., 407, 823, 837, 840
Village of Wyoming v. Ohio Traction Co., 1473
Vindicator Printing Co. v. State, 1280
Vito v. City of Garfield Heights, 833
VMJ Co. v. City of Lorain, 1389, 1418, 1463, 1464, 1466
Voelkel v. City of Cincinnati, 1159, 1217, 1248
Vollmer v. Village of Amherst (S. Ct.), 1256, 1258, 1261, 1266, 1269, 1271, 1297, 1300, 1388, 1399, 1410, 1414, 1415, 1424, 1425, 1426, 1433, 1437, 1442, 1443, 1446, 1497
Vollmer v. Village of Amherst (Ct. App.), 1256, 1258, 1261, 1297, 1300, 1388, 1399, 1410, 1414, 1415, 1424, 1425, 1426, 1433, 1437, 1442, 1443, 1446, 1497
Vrooman v. City of Toledo, 422, 1253, 1254, 1276, 1563

W

Walker v. City of Cincinnati, 1297, 1298, 1299, 1301, 1414
Waller v. Florida, 678, 706, 708, 728
Walter v. City of Bowling Green, 651, 671
Ward v. Edy, 438, 442, 444
Ward v. Games, 428
Warm v. City of Cincinnati, 1302, 1496, 1497
Wasson v. Commissioners, 1189, 1548
Waugh v. Village of Marble Cliff, 82
Wayne Furniture Co. v. City of Dayton, 84, 1413, 1456
W. B. Gibson v. Warren Metropolitan Housing Auth., 487, 1539
Welch v. City of Cleveland, 650, 786
Welch v. City of Lima, 1284
Welfare Loan Co. v. Carrel, 788, 1208
Wells v. City of Norwood, 703
Welsch v. City of Youngstown, 36, 63, 402, 406, 456, 1276
Western Reserve Steel Co. v. Village of Cuyahoga Heights, 1418, 1421, 1423, 1449, 1459,

1462, 1463, 1472, 1479, 1512, 1563
Western Trucking Co. v. City of Lincoln Heights, 470, 475
Western Union Tel. Co. v. City of Cincinnati, 1217, 1218, 1223, 1226
Wiegand v. Ferguson, 499
Wightman v. State, 728
Williams v. City of Jackson, 718, 756, 762
Williamson v. Village of Munroe Falls, 1269, 1386, 1399, 1409, 1442, 1443
Wilson v. City of East Cleveland, 476, 477, 478, 479, 676, 776
Wilson v. City of Springfield, 466
Wilson v. City of Zanesville, 463, 665, 756, 690
Winchester v. Porterfield, 1491
Wisconsin v. J.C. Penney, 1238
Wishing Well Club. Inc. v. City of Akron, 719
Witt v. Madigan, 1288, 1295
Wolf v. City of Columbus, 21
Wolpa v. Hambly, 1164, 1166
Wonderland Ventures v. City of Sandusky, 46, 371, 374, 375, 413, 655, 667, 752, 777, 1183, 1209, 1223, 1227, 1233, 1393, 1419, 1420, 1422, 1423, 1424, 1494
Wondrak v. Kelley, 658, 665
Wright v. City of Lorain, 16, 449, 1111, 1119, 1136, 1140
Wright v. Clark, 1277
W. R. Rhoton Co. v. City of Lorain, 1437
W. W. Enterprises, Inc. v. Brenneman, 663, 664

X

X-Cel Dairy, Inc. v. City of Akron, 801

Y

Young v. City of Dayton, 435, 1283, 1285
Young v. Miami Conservancy Dist., 30, 1130, 1529
Youngstown Educ. Ass'n v. Board of Educ., 460, 461
Youngstown Metropolitan Housing Auth. v. Evatt, 1191, 1504, 1525
Youngstown Mun. Ry. v. City of Youngstown, 1233
Youngstown Mun. Ry. v. Glander, 1233
Youngstown Sheet & Tube Co. v. City of Youngstown, 413, 1183, 1184, 1185, 1223, 1227, 1236, 1243
Yutze v. Copelan, 657

Z

Zangerle v. City of Cleveland, 83, 84, 1181, 1186, 1190, 1191, 1192, 1193, 1194, 1292, 1396, 1397, 1401, 1442, 1502, 1503, 1504, 1505
Zangerle v. Republic Steel Corp., 1188, 1189
Zehenni v. City of Akron, 1282
Zeiher v. Egger, 485, 496
Zelles v. Matowitz, 652, 656, 659, 660
Ziegler v. Ohio Water Serv. Co., 464, 846, 1533
Zimmer v. Hagerman, 37, 486, 1244

OHIO ATTORNEY GENERAL OPINIONS INDEX

1919 OHIO ATT'Y GEN. OP. 854 (p. 1539), 728
1925 OHIO ATT'Y GEN. OP. 2780 (p. 600), 702, 704
1927 OHIO ATT'Y GEN. OP. 1361 (p. 2480), 428
1938 OHIO ATT'Y GEN. OP. 2053 (p. 507), 1279
1941 OHIO ATT'Y GEN. OP. 3846 (p. 426), 32
1951 OHIO ATT'Y GEN. OP. 409 (p. 159), 32
1956 OHIO ATT'Y GEN. OP. 7421 (p. 813), 1199
1957 OHIO ATT'Y GEN. OP. 605 (p. 185), 1465, 1466
1957 OHIO ATT'Y GEN. OP. 787 (p. 290), 434
1958 OHIO ATT'Y GEN. OP. 2332 (p. 412), 1244
1960 OHIO ATT'Y GEN. OP. 1373 (p. 356), 1199
1960 OHIO ATT'Y GEN. OP. 1447 (p. 384), 1281
1965 OHIO ATT'Y GEN. OP. 65-111 (p. 2-234), 1199, 1200
1966 OHIO ATT'Y GEN. OP. 66-040 (p. 2-64), 1200
1966 OHIO ATT'Y GEN. OP. 66-140 (p. 2-282), 434
1969 OHIO ATT'Y GEN. OP. 69-130 (p. 2-280), 434

INDEX

AIRPORTS
Public utility, as, 1423, 1553
"Statewide concern," as
See "STATEWIDE CONCERN"

ANNEXATION
See INTERGOVERNMENTAL RELATIONS, Intermunicipal; ——, Subdivision-municipal and STATE CONTROL
Initiative and referendum, 492-93
State power, as exclusive, 28, 492-93, 1117-19, 1133-34, 1153, 1401-02, 1519-20, 1550

ASSESSMENTS
Generally, 413-15
Assessment or tax
See TAXING POWER, Tax or assessment determination
Constitutional provisions, 413, 1159, 1249
Debt, as, 1250-51
Indirect limit as applied to, 1250-51
Statutory limit as inapplicable to, 1251
Definition, 1248-49
Governmental units, against
See INTERGOVERNMENTAL RELATIONS
Limitations on
Discrimination, 1253, 1445
Due process, 1250, 1445
Public policy, 1253-54
Local self-government matter, as, 413, 1249, 1528
Pre-1912, 1249-50
Source of power, 1159
State control over, 414-15, 1248-54
Charter and non-charter municipalities, 414
Constitutional provisions, 414, 1249, 1250
Procedure, 414-15, 1251-52
Charter municipalities exempt by statute, 414-15, 1251
Purpose of, 415, 481, 1252
Street assessments, 481
Tax uniformity requirement as inapplicable to, 1189-90
Utility facilities financed by, 1441, 1445
See UTILITY POWER, Financing

CHARTER
Absence of, as affecting possession of Home Rule powers, 33-35, 654
Administrative rules must conform to, 36
Adoption and amendment, distinguished, 377
Adoption of state law by
Elections
Civil service
Initiative and referendum
Local self-government
Procedure
Qualifications for and terms of office
See STATE CONTROL and specific subject
Adoption power, 35
Constitutional provisions, 35, 377
Procedure, 379-85
Amendment power, 35
Constitutional provisions, 377
Procedure, 379-85
Classification of municipalities according to, 38-39
Constitutional background for, 15, 35
Constitution of municipality, as, 35
Construction of, 36
Indirect debt limit, immunizes from
See DEBT, Limitations on
Law, as
Election provisions, 393
Initiative and referendum, 483
Removal of officers provisions, 400
Municipalities which can adopt, 35
Ordinances must conform to, 36
Procedure, 402-03
Property disposal, 435-36
Utility power, 1419
Plan of government as alternative to, 33, 35
Power distribution, as means for, 38
Repeal of, 377-78, 483-84
Reservation of power by, 37-38
Silence of
Initiative and referendum
See STATE CONTROL, Initiative and referendum
Local self-government
See STATE CONTROL, Local self-government
Source of power, as, 33-35, 37, 1289
State constitution, conformity to, 36
State control, immunizes from
Assessment procedure
See ASSESSMENTS
Civil service
See STATE CONTROL, Civil service
Contracts
See CONTRACTS
Debt procedure
See DEBT, State control over
Elections
Eminent domain
Initiative and referendum
Local self-government
Procedure
Property acquisition
Property disposal
Property disposal, utility facilities

Qualifications for and terms of office
Street establishment and vacation
Structure of government
See STATE CONTROL and specific subject
Zoning
See STATE CONTROL, Procedure and ——, Structure of government
Ten-mill tax limitation, immunizes from, 1197, 1200
United States Constitution, conformity to, 36

CHARTER MUNICIPALITIES
Indirect debt limit, immune from
See DEBT, Limitations on
State control, immune from
Assessment procedure
See ASSESSMENTS, State control over
Civil service
See STATE CONTROL, Civil service
Contracts
See CONTRACTS
Debt procedure
See DEBT, State control over
Elections
Eminent domain
Initiative and referendum
Local self-government
Procedure
Property acquisition
Property disposal
Property disposal, utility facilities
Qualifications for and terms of office
Street establishment and vacation
Structure of government
See STATE CONTROL and specific subject
Utility power, 1398
See UTILITY POWER, State control over
Zoning
See STATE CONTROL, Procedure and ——, Structure of government
State control over
Assessments, 414
See ASSESSMENTS, State control over
Civil service
See STATE CONTROL, Civil service
Debt, 1254
See DEBT, State control over
Elections
Eminent domain
Initiative and referendum
Local self-government
Procedure
Qualifications for and terms of office
Street establishment and vacation
Street weight limits and improvements
Structure of government
See STATE CONTROL and specific subject
Taxation, 411, 1244
See TAXING POWER, State control over
Zoning
See STATE CONTROL, Procedure
Ten-mill limitation, immune from, 1197, 1200

CIVIL SERVICE
Commission regulations, 442-43
Conflict with state law, regulations in
See STATE CONTROL, Civil service
Constitutional limitations, 437-38
Court appeals, 457-58
Exclusive state power, as, 458
Courts, as exclusive state power concerning, 234, 458-59
Definition, 436
Health districts, of, 455-56, 1141-42
Local self-government matter, as, 436-37
Police and fire departments, 444-45, 450-53
Police and fire departments, of, 444-53
Reasonable, regulations as being, 438
Self-executing, power as, 436
State control, immune from
Charter municipalities
See STATE CONTROL, Civil Service
State control over
Charter municipalities
See STATE CONTROL, Civil service
Non-charter municipalities
See STATE CONTROL, Civil service
"Statewide concern" matter, as
Police and fire departments
See "STATEWIDE CONCERN," Police and fire departments
Transition of villages to cities, as involved in, 443

CLASSIFICATION OF MUNICIPALITIES
Charter, by, 31 n.5, 38-39
Cities and villages, as, 31
Constitutional provisions, 31
State power over, 30-31
Limitations, 30-31

CONFLICT WITH GENERAL LAWS
See "STATEWIDE CONCERN", Independent theory
"By implication"
Generally, 707-10
Constitutional background for, 708, 711, 716
Criminal ordinances, 719-20, 723-24
Express exception, 721-22
Pre-1912, 721
"Head-on collision" test, as erosion of, 708-10

Limitations on, 718-20
Liquor regulations, 715-18
Neil House Hotel Co. v. City of Columbus, 714-18
Recent developments, 720-24
Schneiderman v. Sesanstein, 710-14
Speed regulations, 710-14, 816
Constitutional background for, 679-83,863-84, 685-86
Constitutional provisions, 47, 679
Double jeopardy, 705-07
"Head-on collision" test
Generally, 683-87
Construction of, 686
Criminal ordinances, 689, 693-94
Express exceptions, 695-96, 702
Less strict ordinances, 695-96, 816
Constitutional background for, 695
Licensing, 696-703
Double requirements, 697-99, 764-65
Express exceptions, 702
Specific municipal regulations, 699-702, 717-18, 763
State prohibited activity, 702-03
Liquor regulations, 683-87
Zoning regulations as, 828-29
Ordinances the same as statute, 690-91
Penalties differing, 703-07, 730, 789
Permit-prohibit, 696
Prohibit-permit, 694-95, 819
Speed regulations, 816, 819
Statutory absence, 687, 688
Statutory silence, 687-90
Stricter or broader ordinances, 691-94, 819
Constitutional background for, 692, 693
Subject matters differing, 687-90
Zoning, 828-29
Local self-government, as inapplicable to, 47, 49
Local self-government conflict, contrasted from, 68-74
Local self-government variance, contrasted from, 74-77
Police regulations, as applied to, 48
Pre-1912, 677, 679, 683, 685-86
Significance of, 810-13
Street regulations, 710-14, 816, 817, 819
Through differing policies
Generally, 724-26
City of Cleveland v. Betts, 726-30
Constitutional background for, 726
Criminal code revisions, as applied to, 739
Criminal ordinances, 729, 738-39
Double jeopardy, 728
Expansions of, 736-39, 802
Felony-misdemeanor, 726-27, 729, 730-33, 734-35
"Head-on collision" test as applied to penalties, contrasted from, 730
"Head-on collision" test, contrasted from, 730-31
Identity of offenses, 730-33
General law, as inapplicable in absence of, 736-38
"Head-on collision" test, contrasted from, 724-25, 726
Municipal policy subordinated by, 729, 733
Pre-1912, 725-26
Restraints on, 733-35
Utility power, as inapplicable to, 1385, 1392, 1398, 1399
Utility regulations, 845, 847, 848
Waiver by state, 832, 835-36, 839
Zoning regulations, 828-29

CONSERVANCY DISTRICTS
See INTERGOVERNMENTAL RELATIONS, Subdivision-Municipal; STATE POWER, Exclusive; STATE SUBDIVISION and "STATEWIDE CONCERN," Exclusive state power

CONSTITUTIONAL BACKGROUND
Generally, 13-15
Charter adoption power, 35-36
Conflict with general laws, 679-83, 683-84, 685-86
"By implication," 708, 711, 716
Less strict ordinances, 695
Stricter ordinances, 692, 693
Through differing policies, 726
Denial of municipal power, 743-51, 770-71, 798-99
Dillon's Rule, for reversal of, 15
"General laws," 50-52, 747-51, 769-71, 772, 798-99
Government of municipalities, for providing for, 57 n.11
Home Rule power
Scope of, 17
Single grant 45
Local self-government, 363-64, 365-66
Conflict provisions inapplicable to, 49
Immune from state control, 50-52
Municipal affair, 50
Plans for municipal government, for state provision for, 32
Police regulations, 651-52
Preemption of, 743-47, 755
"Statewide concern," 1106
Structure of government, for immunity from state control over, 15, 52, 385
Taxation, for state control over, 1205 n.19
Utility power, 15, 1382-86, 1392
Acquisition, 1384, 1428-29
Contract for services as fixing rates, 1476
Disposal of surplus services, 1384-85, 1458
Fifty percent limitation on, 1464-65

CONSTITUTIONAL LIMITATIONS
Civil service, as to, 437-38
Commerce clause
Taxation, 1183
Discrimination
Assessments, 1253, 1445
Non-municipal residents, 1560-61
Police regulations, 666-68, 818, 820
Property disposal, 434
Street use regulations, 818, 820
Street weight limits and improvements, 475
Taxation, 1183-85, 1240, 1241, 1242-43
Utility power, 1418-19
Contract for services, 1472, 1563-64
Rate fixing, 1478-79
Disposal of surplus services, 1463, 1563-64
Rate fixing, 1454
Due process
Assessments, 1250, 1445
Public purpose, 1286-87
Taxation, 1185-86, 1187, 1211, 1238-39, 1490, 1501
Utility power, 1417
Contract for services as fixing rates, 1478-79
Disposal of surplus services, 1461-62, 1463
Employee welfare, as to, 461
Impairment of the obligation of contracts, 1198, 1207-08, 1243-44
Debt, 1263-64, 1265
Utility contracts, 1416, 1473-74
Lending of credit prohibition
See LENDING OF CREDIT
Penalties, as to, 704
Personal liberties as applied to police regulations, 668-69, 1248
Procedural safeguards
Police regulations, 670, 819
Street use regulations, 819
Property taxes, as to, 1187-1201
Reasonableness
Civil service regulations, 438
Police regulations, 661-66, 670-74, 817, 818, 820, 821
Street use regulations, 817, 818, 820, 821
Street weight limits and improvements, 475
Utility rate fixing, 1454, 1455, 1457-58
Zoning, 825-27
Retroactive legislation, as to, 827, 1208
Debt, 1265-66
Vagueness
Police regulations, 669-70, 819, 820
Street use regulations, 819, 820

CONSTITUTIONAL PROTECTIONS
Due process
Contracts for utility services, 1473-74
Utility power, 1417, 1456, 1473-74
Impairment of the obligation of contracts
Contracts for utility services, 1416-17, 1473-74
Abandonment or ouster, 1481, 1482
Utility acquisition power, 1416
Retroactive legislation limitation as applied to abandonment or ouster of service under utility contracts, 1481

CONSTITUTIONAL PROVISIONS
Assessments, 413, 1159, 1249
State control over, 414, 1249, 1250
Attraction of industry, 1295-96, 1304
Charter adoption power, 35, 377
Charter amendment power, 377
Civil service, 437-38
Classification of municipalities, 31
"Conflict with general laws," 47
Conservancy districts, for state creation of, 26, 1518
Counties
Home Rule for, 1517
Municipal shift of power to, 1544
State creation and government of, 1516-17, 1519
Courts, for state creation of, 23, 458
Debt
Indirect limit, 1254-55
Power to incur, 416, 417, 1159-60
State control over, 416-17, 1254
Elections, 393-95
State power over, 28
Eminent domain, 416, 422-23, 1409, 1427
Employee welfare, for state power over, 27
Expenditures, for state control over, 1272-73
Fiscal records, for state control over, 1205, 1270, 1274
"General laws"
Art. XVIII, §3, 769
Generally, 784-87
Government of municipalities, for state provision for, 54
Incorporation of municipalities, for state provision for, 28, 32, 1516
Indirect debt limitation, 1250-51
Initiative and referendum, 482
Lending of credit prohibition, 1297
Fire insurance exception, 1302-03
Liquor regulations, 684
Plans for municipal government, for state provision for, 32
Property tax limitations, 1187-88
Public schools, for state power over, 26
Removal of officers, 397
Retroactive legislation, for limiting, 827
State taxation of municipal property, 1503-04
Supremacy clause as affecting federal municipal relations, 1487
Taxing power, 1158
State control over, 409, 411, 1202-03

State preemption of, 759, 1208, 1209
Territorial limits of municipal power, 39-40
Utility power
Acquisition, 419, 1160-61, 1425, 1429, 1430
Eminent domain, 422-23, 1409, 1427, 1529-30, 1552
Contract for services, 419, 1160-61, 1411, 1466, 1562
Rate fixing, 1475
Disposal of surplus services, 1458, 1562
Fifty percent limitation on, 1464
General obligation bonds, 1441
Mortgage revenue bonds, 416, 1255-56, 1426, 1431
Operation and maintenance, 1447
Public utility defined, 1421
Section 5 referendum, 1431
Procedural requirements, 1434, 1436-37, 1439-40

CONTRACTS
Generally, 418-21
Arbitration agreements, 419-20, 1161, 1471-72, 1478
Pre-1912, 419
Compromise agreements, 419, 1161
Debt, as, 417-18, 1260, 1269, 1281
Execution and supervision, 420-21
Governmental units, with
See INTERGOVERNMENTAL RELATIONS
Limitations on
Public policy, 1246, 1253-54, 1275-76, 1512, 1564
Public purpose
See PUBLIC PURPOSE
Local self-government matter, as, 418, 1160, 1545, 1562
Modifications of, 1513
Moral obligation recognized by, 1274-75, 1278-79
Pre-1912, 418, 1275, 1279
Property disposal arrangements as non-debt, 1284-85, 1485
Remedies where defective, 1278, 1282
Scope of power, 1160, 1161
Source of power, 1160
State control over, 1276-86
Charter municipalities immune from, 1282, 1283, 1410
Pre-1912, 1279
Procedure immune from, 417-18, 1260, 1281-83
Property disposal
See STATE CONTROL, Property disposal
Purpose for, 1284
Source of authority, 1279-86
Debt control authority as, 417-18, 1260, 1269, 1273, 1280-82
Government of municipalities authority as
Non-charter municipalities, 1273, 1280, 1282-83, 1285-86
Police power as, 1280, 1283, 1285
Statutory procedures as, 1276-78
Utility service contracts, 1473
Statutory prohibitions as, 1276
Ultra vires, 1275
Utility acquisition
See UTILITY POWER, Acquisition
Utility service acquisition
See UTILITY POWER, Contract for services
Utility service disposal
See UTILITY POWER, Disposal of services

COUNTIES
See INTERGOVERNMENTAL RELATIONS, Subdivision-municipal, and STATE SUBDIVISIONS

COURTS
See STATE POWER, Exclusive and "STATEWIDE CONCERN," Exclusive state power

CRIMES
See POLICE REGULATIONS, Criminal ordinances

DEBT
Generally, 416-18
Assessments as, 1250-51
Constitutional provisions, 416, 417, 1159-60
Contracts as, 417-18, 1260, 1269, 1281
Contracts of property disposal as non-debt, 1284-85, 1485
Definition, 1256-57
Excess condemnation bonds as non-debt, 417, 1256
Initiated, 1267
Lending of credit, as
See LENDING OF CREDIT
Limitations on
Charter imposed, 1255
Indirect, 1250-51, 1254, 1256-57, 1261-65, 1266-67
Charter imposed, 1264
Charter waived, 1264-65
Constitutional provisions, 1250-51, 1254-55
Impairment of obligation of contracts, as, 1263-64, 1265
Statutory waiver as inapplicable to, 1264
Public purpose
See PUBLIC PURPOSE
Local self-government matter, as, 416, 1160, 1254
Pre-1912, 416, 1159

Purchase agreement as, 1258-59
Rental agreement as non-debt, 1258
Revenue bonds
Indirect limit, immune from, 1262
Non-debt, as, 417, 1257-58, 1258-59, 1260
OHIO CONST. art. XVIII, §12, immune from, 1256, 1443
State control over, immune from, 417, 1257
Salaries as non-debt, 1260
Scope of power, 416, 1160
Source of power, 1159-60
State control over, 416-17, 1254, 1265-71
Amount, 417-18, 1265-67
Exemptions, 1266
Voter waiver, 1265, 1267
Charter and non-charter municipalities, 1254
Constitutional provisions, 416-17, 1254
Contract procedure immune from
See CONTRACTS, State control
Fiscal records, 1270
Non-debt immune from, 417, 1257-58, 1260
Procedure, 401, 1268-71
Charter municipalities immune from, 1269-70
Government of municipalities authority as basis for, 1269-70
Uniform Bond Law as, 1268, 1270-71
Purposes for, 417, 1268, 1269
Retroactive legislation limitation as bar to, 1265-66
Revenue bonds
See Revenue bonds
Statutory indirect limit as, 1261-62
Utility bonds as
See UTILITY POWER, Financing

DENIAL OF POWER
See STATE CONTROL, Withdrawal of power and "STATEWIDE CONCERN," Independent theory
Constitutional background for, 743-51, 770-71, 798-99
Express
See "GENERAL LAWS," Denial of power and ——, Denial power rejection
Implied
See PREEMPTION

DETACHMENT
See INTERGOVERNMENTAL RELATIONS, Intermunicipal; ——, Subdivision-municipal, Annexation and detachment and STATE CONTROL
State power, as exclusive, 28, 1117-19, 1133-34, 1520, 1550

DILLON'S RULE
Pre-1912, 12, 650-51
Reversal by Home Rule, 15, 651-52
Constitutional background for, 15, 651

DOUBLE JEOPARDY
Generally, 678, 705-07, 728

ELECTIONS
Municipal
Constitutional provisions, 393-95
Local self-government matter, as, 391-93, 395-97
State control, immune from
Charter municipalities
See STATE CONTROL, Elections
State control over
Charter municipalities
See STATE CONTROL, Elections
Non-charter municipalities
See STATE CONTROL, Elections
State
Constitutional provisions, 28
State power, as exclusive, 28, 1130

EMERGENCY ORDINANCES
Initiative and referendum as applied to
See INITIATIVE AND REFERENDUM, Emergency ordinance exemption
Procedure, 404-07

EMINENT DOMAIN
See PROPERTY, Eminent domain
State power of
See INTERGOVERNMENTAL RELATIONS, State-municipal and STATE CONTROL, Condemnation of municipal property

EMPLOYEE WELFARE
Constitutional limitations as applied to, 460-61
Constitutional provisions, 27
Local self-government matter, as, 459-60, 463
Pension funds, 30, 462
Police regulations, as, 451, 461-62, 1138
State power over, 27, 445-47, 461-64
See "STATEWIDE CONCERN," Exclusive state power
Art. II, §34, 27, 462-64
Art. II, §37, 1452

EXPENDITURES
Generally, 1271-75
Limitations on
Public purpose
See PUBLIC PURPOSE
Local self-government matter, as, 1272
Source of power, 1160
State control over
Appropriation of funds, 1274, 1277, 1281
Certification of funds, 1273-74, 1277, 1281
Constitutional provisions, 1272-73
Depositary provisions, 1275

Fiscal records, 1274
Constitutional provisions, 1274
Procedure, 1273-74, 1277, 1281
Recovery of illegal expenditures, 1274-75

EXTRATERRITORIAL POWER
Constitutional grant absent, 39-40
Extraterritorial effects, compared with, 43-44
Representative government, affect on, 41-42
State conferral of
Authority for, 41-42, 1538, 1546
Eminent domain, 1530-31, 1552-53
Establishment of parks, 1540
Implied, 42
Library services, 42
Mandatory, 42
Optional, 42
Zoning, not as to, 824
Utility power
See UTILITY POWER; —— Acquisition; ——, Disposal of services and ——, Operation and maintenance

FELONY-MISDEMEANOR
See CONFLICT WITH GENERAL LAWS, Through differing policies

FISCAL POWERS
Assessments
See ASSESSMENTS
Contract
See CONTRACTS
Expending funds
See EXPENDITURES
Incurring Debt
See DEBT
Taxing
See TAXING POWER

FORM OF GOVERNMENT
See STRUCTURE OF GOVERNMENT

"GENERAL LAWS"
Generally, 769-71
Authorizations as, 777-78
Citizens, as applied to, 774-75, 800, 837
Common law not included within, 674, 772
Constitutional background for, 50-52, 747-51, 769-71, 772, 798-99
Constitutional provisions, 769
Constitutional usage generally, 784-87
Definition, 53, 771-76
Denial of power
Implied permission as, 788, 790, 791-92
Ohio Gen. Code §12608 as, 791-92
Ohio Rev. Code §4511.06 as, 788-90, 792-93, 797-98
Policy statement as, 788, 789-90
Denial of power as, 771, 774, 787-793, 816, 1115, 1121
Denial power rejection
Application varied, 796-799, 801-03
Home Rule safeguard, as, 779-81, 810-13
"No conflict" limitation compatible with, 781-82
Preemption rejection compatible with, 782
Significance of, 810-13
Village of West Jefferson v. Robinson, 799-803
Duties imposed on municipalities as, 775
Grants of power as, 774, 836
Grants of power with limitations as, 793-96, 799-803
Municipalities, as applied to, 773-74, 775-76, 800
Police regulations, as applied to, 770, 772, 776
Pre-Home Rule theory contrasted from, 782-84
Regulations as, 776-77
Regulations of municipalities as, 775, 837
Source of, 771-72
"Statewide concern" theory as affecting
Generally, 803-08
Exclusive state power, with respect to, 804
Police regulations, with respect to, 804-08
State police power, with respect to, 804
Territorial application of, 772
Waiver of limitation as, 774
Withdrawal of municipal power as, 808-10
Exclusive state power, with respect to, 809
State police power, with respect to, 809
"Statewide concern," with respect to, 809-10
Zoning statutes as, 831, 832-33, 836-37, 839

"HEAD-ON COLLISION" TEST
See CONFLICT WITH GENERAL LAWS

HEALTH
See POLICE REGULATIONS; PREEMPTION and "STATEWIDE CONCERN"

HEALTH DISTRICTS
See INTERGOVERNMENTAL RELATIONS, Subdivision-municipal; STATE POWER; STATE SUBDIVISIONS and "STATEWIDE CONCERN," Health

HIGHWAYS AND BRIDGES
See STATE POWER, Exclusive and "STATEWIDE CONCERN," Exclusive state power

HOME RULE POWER
Charter not a prerequisite to, 33-35, 1289
Construction of, 17
"Imperium in imperio," 19, 21
Intergovernmental relations considerations
See INTERGOVERNMENTAL RELATIONS
Limitations on
Generally, 18-22
Extraterritorial effects, 43-44, 368-69
Lending of credit prohibition, 1297
Public purpose, 1287
"Local self-government" as expressing, 363, 366, 367
Public purpose, as equated with, 1288
Purpose of
Generally, 11
Ohio, 13-17
Scope of, 17-18
Constitutional background for, 17
Self-executing, as, 15, 55, 78, 838, 1289
Single grant of, 44-47, 673
Constitutional background for, 45
Source of, 15-17, 1289
State grant of power not barred by 84-85, 1397, 1556
Territorial limits of
Generally, 39-44, 1537, 1545, 1562
State authority to expand, 41, 1537-38

HOUSING DISTRICTS, METROPOLITAN
See INTERGOVERNMENTAL RELATIONS, Subdivision-municipal; STATE POWER and STATE SUBDIVISIONS

INCOME TAX
See TAXING POWER

INCORPORATION OF MUNICIPALITIES
See INTERGOVERNMENTAL RELATIONS, Subdivision-municipal
Constitutional provisions, 28, 32, 1516
State power over, 28, 32

INHERENT POWER
Pre-1912, 13, 418, 1275, 1383-84
Contracting, 418, 1275
Rejected, 13, 418, 1383-84
Utility power, 1383-84

INITIATIVE AND REFERENDUM
Art. II, §1d as applied to, 487-88, 490
Art. II, §1g as inapplicable to, 483, 487
Art. XVIII, §5 referendum, distinguished from, 488-89, 1434
Art. XVIII, §8 as inapplicable to, 488
Charter as "law," 483
Charter repeal by, 378, 483
Constitutional provisions, 482
Construction of, 491
Emergency ordinance exemption to, 498-99, 500, 1245
Charter provisions, 498, 500
Judicial review, 498-99
Statutory provisions, 498, 1245
Expansion of power by municiaplity, 485-86
Income tax measures, as applied to, 1245
Initiated debt, 1267
Judicial review of, 490-91
Legislative authorities' powers not limited by, 486
Limitations on, 487-91
Local self-government matter, as, 483, 485-86
Mandatory by charter provisions, 486, 1244
Mandatory by ordinance, 486
Procedure for, 493-98
Judicial review of, 491
Referendum on initiated ordinance, 490, 1245
Repeal of ordinance by initiative, 499-500, 1245
Restriction of power by municipality, 486, 487, 490, 498, 500, 1245
Scope of, 482-86
Self-executing, as not, 484
State control, immune from
Charter municipalities
See STATE CONTROL, Initiative and referendum
State control over
Charter municipalities
See STATE CONTROL, Initiative and referendum
Non-charter municipalities
See STATE CONTROL, Initiative and referendum
Subject matter for, 491-93
Administrative matters, 485-86, 491-92
"Legislative action," 485-86, 491-92
"Questions . . . municipalities may . . . control," 491, 492-93
Utility facilities and service acquisition, as applied to, 489
Rate fixing, 1478
Utility facilities disposal, as applied to, 489-90, 1486
Utility facilities repair and expansion, as applied to, 490, 1433
Utility ordinance referendum and initiative provisions, distinguished from, 488-89, 1436

INTERGOVERNMENTAL RELATIONS
Federal-municipal
Generally, 1487-99
Assessment against federal property, 1492

Condemnation of federal property, 1492
Condemnation of municipal property, 1492
Constitutional basis for, 1487
Delegation of authority by municipal regulations, 1494
Preemption of municipal regulations, 1494
See PREEMPTION, Federal regulation
Regulation of federal government, 1492
Waiver of immunity, 1492
Regulation of municipalities, 1493-94
Taxation of federal government
Generally, 1186, 1488-91
Derivative immunity as inapplicable to, 1187, 1488
Due process considerations, 1490
Municipal income tax, 1239, 1489-90
Examples, 1490-91
Federal loans, 1489
Immunity as created by Congress, 1488, 1491, 1524-25
Immunity as waived by Congress, 1491
Legal incidence of tax, 1490
Property, 1488-89
Proprietary distinction rejected, 1488, 1524-25
State exemption as applied to, 1489
Territorial immunity, 1489-90
Taxation of municipalities, 1186, 1491
Voluntary
Generally, 1495-99
Contracts, 1495-99
Delegation of municipal authority by, 1496-97
Limitations on, 1497-99
Local self-government as basis for, 1495-96
Municipal property disposal, 434-35, 1498
Usefulness of, 1495
Home Rule considerations generally, 1487, 1499-1500, 1514-15
Intermunicipal
Generally, 1549-65
Annexation and detachment as affecting, 1550-51
See ANNEXATION and DETACHMENT
Home Rule considerations, 1551
Condemnation of property, 426-27, 1389, 1394, 1395, 1415-16, 1427-28, 1552-57
Local self-government power v. utility power, 1549-50, 1552-53
Mutual immunity from, 1556
"Paramount necessity" rejected, 1554
Prior public use, 1554
State authorization of, 1555-57
Home Rule considerations, 1556-57
State control, as, 1556-57
Possible theories for, 1549-50
Regulation
Generally, 1557-62
Burdening other municipality by, 1561-62
Delegation of authority to other municipality by, 1560
Discrimination against nonresidents by, 1560-61
Police regulations v. utility power, 1549-50, 1558
Possible theories for, 1557-58
State authorized municipal activities as affecting, 1558-60
Home Rule considerations, 1559-60
Utilities, 845, 1390, 1395, 1448-49, 1463, 1551, 1557-59
State's role in, 1550
Taxation, 1552
See TAXING POWER, State control
Citizens of other municipality, 1552
Property exemptions, 1552
Territorial changes as affecting, 1550-51
Voluntary
Generally, 1562-65
Contracts
Disposal of municipal powers by, 1564
Territorial limits on, 1562
State authorization for, 1562, 1564-65
Utility contracts, 1448, 1563
Discrimination by, 1463-64, 1472, 1563-64
Duration of, 1461, 1472, 1479-80, 1563
Estoppel, by, 1460, 1461, 1563
State control over rate fixing, 1564
Utility establishment, 1390, 1563, 1564-65
Utility operations, 1452, 1564-65
State-municipal
Generally, 1499-1514
See STATE CONTROL; STATE POWER and "STATEWIDE CONCERN"
Basis not contractual for, 1512
Condemnation of municipal property, 1507-08
Home Rule considerations, 82-83, 1508
Condemnation of state property, 1508
Regulation of municipalities
Generally, 1508-11
See STATE CONTROL and "STATEWIDE CONCERN," State retained police power
Derivative immunity, 1510-11
Home Rule considerations, 79-80, 81-82, 741, 743, 1508
Regulation of state, 1511
Highways and bridges
See STATE POWER, Exclusive and "STATEWIDE CONCERN," Exclusive state power

Territorial immunity, 1512
Taxation of municipalities
Generally, 1186, 1502-05
See STATE CONTROL, Taxing municipalities
Home Rule considerations, 83-84, 1502-03, 1504
Property, 1503-05
Constitutional provisions, 1503-04
Exemptions for, 1504-05
Utility power as bar to, 1503
Taxation of state, 1186, 1500-02, 1505-07
See TAXING POWER, State control
Derivative immunity, 1187, 1501-02
Due process limitation on, 1501
Immunity created by state, 1502
Immunity waived by state, 1502
Property
Exemptions for, 1504, 1505-07
Territorial immunity, 1501
Tort immunity of municipalities, 1507
Voluntary
Generally, 1512-14
Contracts, 419, 1161, 1512-13
Limitations as applied to, 1512
Public policy, 1512
Modifications of, 1513
Disposal of property to state as municipal purpose, 1294-95, 1513
Municipal lobbying, 1513-14
Municipal utility charges, 1500, 1549
"Statewide concern" compared with, 1116, 1132, 1135-36, 1535
Subdivision-municipal
Generally, 1514-49
See STATE SUBDIVISIONS
Annexation and detachment as affecting, 1519-21, 1523-24
See ANNEXATION and DETACHMENT
Assessments against municipal property, 1529
Home rule considerations, 1528, 1529
Assessments against subdivision property, 1528-29
Condemnation of property
Generally, 1529-32
Home Rule considerations, 1530-31, 1532, 1534-35
Mutual immunity, 1530
"Paramount necessity" rejected, 1531-32
Prior public use, 1530-32
State control over, 1530-31, 1532, 1534-35
Statutory authorization for, 1530-31
Vacation of municipal streets compared with, 1533-35
Detachment
See DETACHMENT
Duties imposed by state upon municipalities, 1536
See STATE CONTROL and "STATEWIDE CONCERN"
Health districts, with respect to, 1120, 1141
Home Rule considerations, 1536
Public schools, with respect to, 1536
Incorporation of municipalities as affecting, 1519-21
See INCORPORATION OF MUNICIPALITIES
Jurisdictional overlap, 1521-24
County road and bridge maintenance, 1522-23
Joint tort liability, 1523
Merger of municipalities as affecting, 1520
See MERGER OF MUNICIPALITIES
Municipal regulation within subdivision limits, 1537-38
Possible theories for, 1515-16, 1538
Equality, 1516, 1529, 1538, 1539, 1543
Relative merit, 1516, 1538, 1539, 1543
Statutory authorization, 1515-16, 1538, 1539-40, 1543
Superiority, 1515, 1524, 1533, 1538, 1539, 1540, 1543
Regulation of municipalities, 1539-40, 1542-43
See STATE CONTROL and "STATEWIDE CONCERN," State retained police power
Home Rule considerations, 1542-43
Regulation of subdivisions
Generally, 1135-36, 1539
Health districts
Civil service, 455-56, 1141-42, 1542
Duties imposed upon, 1542
Highways and bridges
See STATE POWER, Exclusive and "STATEWIDE CONCERN," Exclusive state power
State power to create subdivisions as affecting, 1516-19
See STATE POWER and STATE SUBDIVISIONS
Withdrawal of municipal power, with respect to, 1519
State's role concerning, 1514-15
Subdivision defined, 1517
Subdivision regulation within municipalities, 1537
Subdivision zoning within municipalities, 1537
See STATE POWER, Police power
Taxation of municipalities, 1526-27
Home Rule considerations, 1526
Property, 1526-27
Payments in lieu of taxes, 1527
Taxation of subdivisions
Generally, 412, 1524-26
See TAXING POWER, State control

Metropolitan housing districts, 1524-26
Property, 1524-26
Exclusive public use exemption for, 1524-26
Vacation of municipal streets, 1532-35
Eminent domain compared with, 1533-35
Home rule considerations, 1533, 1534-35
Prohibition against, as affecting subdivision power, 1533
State authorization for, 1532
State control over, 1533, 1534-35
Voluntary
Generally, 1543-49
Contracts, 419, 1161, 1545-49
Limitations applicable to, 1545, 1547-48
State control, immune from 1545
Cooperation as state authorized, 1545-47, 1549
Disposal of property to subdivisions
Municipal purpose, 1294-95, 1548
Public purpose, 1294, 1547-48
Lending of credit prohibition as violated, 1302, 1548
Municipal shifts of power to counties, 1544
Constitutional provisions, 1544
Utility charges as, 1549
Utility contracts duration, 1461, 1472, 1479-80
Zoning of municipal property, 825, 1539-40
Zoning of subdivision property, 823, 1539
Immunity waived by state, 1539

LENDING OF CREDIT
Generally, 1297-1304
Attraction of industry as not included within, 1303-04
Constitutional provisions, 1304
Constitutional provisions, 1297
Debt incurring as not involving, 1260-61
Definition, 1297-98
Excessive payments as, 1302
Fire insurance exception to, 1302-03
Furnishing of free services as not included within, 1302
Home Rule as not abolishing prohibition against, 1297
Mixture of property as, 1298, 1300-02
Partnership as, 1298
Purpose of prohibition against, 1297
Separate property interests as not included within, 1298-1300
Subdivision-municipal dealings as not included within, 1302, 1548
Utility power, as affecting, 1297, 1390-91, 1414-15, 1426-27, 1446, 1461, 1472

LIABILITY, MUNICIPAL
Condition, not subject to, 676
Tort, for
Jointly with county, 1523
To state, 1507
Utility functions as proprietary, 1395, 1424

LIBRARIES
State power over
See STATE POWER

LIBRARY DISTRICTS
See INTERGOVERNMENTAL RELATIONS, Subdivision-municipal and STATE SUBDIVISIONS

LICENSE
License fee or tax
See TAXING POWER, Tax or license fee determination
Police regulations, as,
See POLICE REGULATIONS

LIQUOR REGULATIONS
See POLICE REGULATIONS

LOCAL SELF-GOVERNMENT
Assessments, 413, 1249, 1528
Civil service, 436-37
Conflict with general laws provision
Inapplicable, 47
Constitutional background for, 49
Constitutional background for, 363-64, 365-66, 370
Contracts, 418, 1160, 1495-96, 1545, 1562
Debt incurring, 416, 1160, 1254
Definition, 53-54, 366-67, 1127-28
"Field of operation," 367-68
Local nature of power, 370-73
Vagueness of, 363-65
Duties imposed concerning, 80, 81, 1139
Elections, 391-93, 395-97
Eminent domain, 424, 1469, 1427, 1460, 1529, 1552
Employee welfare, 459-60, 463
Examples of, 374
Expenditures, 1272
Extraterritorial effects of, 43-44, 368-69
See "STATEWIDE CONCERN," Local self-government outer limits
"Imperium in imperio", 21
Initiative and referendum, 483, 485-86
Parks, 42, 1540
Police power, distinguished from, 373-76
Police power not included within, 54, 375-76, 466-67
Police regulations, as included within, 44-47
Procedure, 400-01
Zoning, 837-39
Property

Acquisition, 421
Disposal, 430-33, 1271-72, 1545
Preservation and improvement, 428-30
Property of municipal utilities
Disposal, 1484-85
Qualifications for and terms of office, 388-91
Removal of officers, 397
State control, immune from, 47-48, 52-54
Charter municipalities
See STATE CONTROL, Local self-government
Constitutional background for, 50-52
State control over
Charter municipalities
See STATE CONTROL, Local self-government
Non-charter municipalities
See STATE CONTROL, Local self-government
Regulation by state, 79-80, 1543
"Statewide concern" as a curtailment of
See "STATEWIDE CONCERN," Independent theory
Streets, 465-67
Establishment and vacation, 470-71, 1533
Maintenance, 476, 1468-69
Weight limits and improvements, 472-74
Structure of government, 385-88, 1247, 1450, 1452
Taxing power, 407-09, 1158, 1216, 1234
Territorial limits of, 40, 42-44, 367-69, 427, 825, 1127, 1134, 1540
Property acquisition, 427-28, 1460
Total Home Rule power, as, 363, 366, 367, 821
Utility power distinguished from 1391-92, 1398-99, 1406-07
Contracts for services distinguished from, 1469
Regulations distinguished from, 1393, 1407
Variance from state law,
See VARIANCE FROM STATE LAW

MERGER OF MUNICIPALITIES
State power over, 28
See INTERGOVERNMENTAL RELATIONS, Subdivision-municipal

MUNICIPAL AFFAIR
Constitutional background for, 50, 364, 366

NON-CHARTER MUNICIPALITIES
Contracts
Execution and supervision of, 420-21
Indirect debt limit as applied to,
See DEBT, Limitations on
State control, immune from
Utility power
See UTILITY POWER, State control over
State control over
Assessments
See ASSESSMENTS, State control over
Civil service
See STATE CONTROL, Civil service
Contracts
See CONTRACTS
Debt
See DEBT, State control over
Elections
Initiative and referendum
Local self-government
Procedure
Property disposal
Property disposal, utility facilities
Qualifications for and terms of office
Street weight limits and improvements
Structure of government
See STATE CONTROL and specific subject
Taxation
See TAXING POWER, State control over
Zoning
See STATE CONTROL, Procedure

PARK DISTRICTS, METROPOLITAN
See INTERGOVERNMENTAL RELATIONS, Subdivision-municipal; STATE POWER and STATE SUBDIVISIONS

PARKS
Local self-government matter, as, 42, 1540

PENALTIES
Constitutional limitations over, 704
Differing from statute
See CONFLICT WITH GENERAL LAWS, "Head-on collision" test
Double jeopardy
See DOUBLE JEOPARDY
Power to impose, 703

PENSION FUNDS
State power over, 30

PLANNING
State control over
See STATE CONTROL, Government of municipalities
Statutory grant of power unnecessary for, 829
Statutory plans for municipal government as containing provisions for, 830

PLANS FOR MUNICIPAL GOVERNMENT
Charter, as alternative to, 33, 35
Constitutional background for, 32
Constitutional provisions, 32

State provision for, 32
By general law, 32
Planning, 830
Recall of officers, 398
Statutory provisions as inapplicable to, 1285

POLICE POWER
Definition, 655
Local self-government as not including, 54, 375-76, 466-67
Police regulations as including, 374-76, 655
State, of
See STATE POWER
Duties imposed on municipalities
See INTERGOVERNMENTAL RELATIONS, State-municipal, Regulation; STATE CONTROL and "STATEWIDE CONCERN," State retained police power
Regulation of municipalities
See INTERGOVERNMENTAL RELATIONS, State-municipal; STATE CONTROL and "STATEWIDE CONCERN," State retained police power

POLICE REGULATIONS
Asethetics as included within, 658, 665-66, 826
Authorizations as, 655
Common law subject to change by, 674
Conditioning of liability not permitted by, 676
Conflict with general laws provisions as applied to, 48
Constitutional background for, 651-52
Construction of, 656
Criminal ordinance as, 656
Conflict with general Laws
See CONFLICT WITH GENERAL LAWS, "By implication," ——, "Head on collision" test: ——, Through differing policies and ——, Through differing policies, Felony-misdemeanor
Limitations on
Double jeopardy, 678, 705-07, 728
Imprisonment for debt, 1247-48
Definition, 374-76
Employee welfare regulation as, 461-62
Enforcement of, 660
Examples of, 656-60
Extraterritorial effects of, 369-70
See "STATEWIDE CONCERN," Independent theory
Governmental units, as applied to
See INTERGOVERNMENTAL RELATIONS
Government of municipalities authority of state, as inapplicable to, 60-61
Health regulations as, 657-58
See "STATEWIDE CONCERN"
Preemption
See PREEMPTION
License as, 655
Conflict with general laws,
See CONFLICT WITH GENERAL LAWS, "Head-on collision" test
Defined, 1164-65
Preemption
See PREEMPTION
Tax or license fee
See TAXING POWER, Tax or license fee determination
Limitations on
Generally, 660-70
Discrimination, 666-68, 818, 820
Personal liberties protections, 668-69
Procedural safeguards, 670, 819
Reasonableness, 661-66, 670-74, 817, 818, 820, 821
Liquor regulations as, 684, 828-29
Conflict with general laws
See CONFLICT WITH GENERAL LAWS, By implication and ——, "Head on collision" test
Constitutional provisions, 684
Preemption
See PREEMPTION, Police regulations
Local self-government as including, 44-47
Local self-government distinguished from, 373-76
No conflict limitation as applied to
See CONFLICT WITH GENERAL LAWS
Police power as equated to, 374-76, 655
Preemption by state
See PREEMPTION
Pre-1912, 650-51
"Private law" enactment as included within, 674-76
Prohibitions as, 670-74
Property preservation and improvement as, 428-30
Scope of power, 653-60
Self-executing power, as, 653
"Statewide concern," as curtailed by
See STATEWIDE CONCERN, Independent theory
Street regulations as
Abutters' rights affected by
See STREETS, Limitations on control of
Conflict with general laws
See CONFLICT WITH GENERAL LAWS
Enforcement of, 818-19
Limitations on
See Specific limitations this title; CONSTITUTIONAL LIMITATIONS and STREETS
Obstruction removal, 820-21

Public's rights affected by
See STREETS, Limitations on control
Speed regulations, 815-16
Traffic regulations, 816-18
Truck route designations, 819-20
Use protection, 478
Use regulations, 467-69, 475, 478, 814-21
Utilities regulations, 841, 846
Territorial limits of, 39-40, 654, 824, 1154
Utility power v. police regulations, 1549-50, 1558
Utilities regulations as, 841, 1393, 1468
Generally, 840-48
See "STATEWIDE CONCERN"
Abandonment or ouster, 847-48, 1483
Conflict with general laws as applied to
See CONFLICT WITH GENERAL LAWS
Contracts for utility services distinguished from, 841, 1393-94, 1407-08, 1468-69, 1473, 1479
Installation and extension, 846-47
See "STATEWIDE CONCERN," Utilities regulation
Local self-government distinguished from, 1393, 1407
Motor transport, 844-45, 1145-47
Rate fixing, 841-44, 1393, 1407, 1468, 1473, 1479
Conflict with general laws as applied to, 1393, 1468, 1479
Contracts for services distinguished from, 841, 1393-94, 1407-08, 1468-69, 1473, 1479
Street control as involved in, 841, 846
Utilities of another municipality, as applied to
See INTERGOVERNMENTAL RELATIONS, Intermunicipal
Utility power distinguished from, 1392-93, 1407
Vagueness of, 669-60, 819, 820
Zoning as, 658, 821-22, 832
See ZONING

PREEMPTION
Generally, 751-56
Definition, 751
Federal regulation, by, 752-53, 1494
Police regulations, as applied to
"Conflict by implication" compared with, 757-59
Constitutional background for, 743-47, 755
Health regulations, 765-68
Licensing, 760-61, 762-65, 1157
Liquor regulations, 763-64, 828, 829
Municipal power imperiled by, 758-59
Rejected, 755-56
Taxation subject to state control compared with, 759-62
"Statewide concern" matters, as applied to
See "STATEWIDE CONCERN," Independent theory
Taxation, as applied to
See TAXING POWER

PRE-1912
Generally, 12-13
Assessments, 1249-50
Conflict with state law, 677-78, 679, 683, 685-86, 721, 725-26
Contracts, 1275-79
Arbitration agreements, 419
Inherent power, as, 418, 1275
State control over, 1279
Debt incurring, 416, 1159
Dillon's rule as applied, 12
"General laws" theory contrasted from, 782-84
Incorporation as included within state power, 32
Inherent power, 13, 418, 1275, 1383-84
Inherent power rejected, 13, 418, 1383-84
Police regulations, 650-51
Property acquisition, 421
Public purpose, 422
Public purpose, 1289
Street authority, 465
Territorial limits of municipal power, 40
Utility power, 1382-84, 1385
Contract for services, 1466-67
Rate fixing, 1475-77
Inherent power, as, 1383-84
State control over, 1385

"PRIVATE LAW"
Municipal power to legislate as including, 674-76

PROCEDURE
Assessments
See ASSESSMENTS, State control over
Charter adoption and amendment
See CHARTER, Adoption
Contracts
See CONTRACTS, State control over
Courts not included within municipal power, as to, 25-26
Debt
See DEBT, State control over
Emergency ordinances, 402-07
Examples of, 403-04
Initiative and referendum
See INITIATIVE AND REFERENDUM and STATE CONTROL, Initiative and referendum
Local self-government matter, as, 400-01
Ordinance as conforming to charter with respect to, 402-03
Ordinance established, 403
State control, immune from
Charter municipalities

See STATE CONTROL, Procedure
State control over
Charter municipalities
See STATE CONTROL, Procedure
Non-charter municipalities
See STATE CONTROL, Procedure
Utility power
See UTILITY POWER, Procedure
Zoning
See STATE CONTROL, Procedure and ZONING, Procedure

PROPERTY
Acquisition
Generally, 421-22
Local self-government matter, as, 421
Price as reasonable, 421-22
Public purpose, for
See PUBLIC PURPOSE
Public utility
See UTILITY POWER
State control, immune from
Charter municipalities
See STATE CONTROL, Property acquisition
Territorial limitations, 427-28
Disposal
Generally, 430-36
Charter procedure as followed in, 435-36
Contract procedure
See CONTRACTS
Discrimination invalidates, 434
Donation, by, 435, 1498, 1513
Governmental units, to
See INTERGOVERNMENTAL RELATIONS, ——, Voluntary
Local self-government matter, as, 430-33, 1271-72, 1545
Non-debt, as, 1284-85, 1485
Price as reasonable, 434, 435
Public purpose, for, 434-35, 1486, 1513
State control, immune from
Charter municipalities
See STATE CONTROL, Property disposal
State control over
Non-charter municipalities
See STATE CONTROL, Property disposal
Utility property, 1484-86
Initiative and referendum as applied to, 489-90, 1486
Local self-government matter, as, 1484-85
Section 5 referendum as applied to, 1434, 1486
State control, immune from
Charter municipalities
See STATE CONTROL, Property disposal
State control over
Non-charter municipalities
See STATE CONTROL, Property disposal
Unneeded, as, 1486
Eminent domain
Generally, 422-27
Constitutional provisions, 416, 422-23, 1409, 1427
Excess condemnation, 416, 423-24, 1409
Extraterritorial as authorized by statute, 1530-31, 1552-53
Governmental units' property as subject to condemnation
See INTERGOVERNMENTAL RELATIONS, ——, Condemnation of property
Local self-government matter, as, 424, 1409, 1427, 1460, 1529, 1552
Local self-government v. utility power, 1549-50, 1552-53
Property devoted to public use
See INTERGOVERNMENTAL RELATIONS, ——, Condemnation of property
Public use, for, 425, 1530
Scope of power, 425-26
State control, immune from
Charter municipalities
See STATE CONTROL, Eminent domain
State control over
Charter municipalities
See STATE CONTROL, Eminent domain
Utility purposes, for
See UTILITY POWER, Acquisition and ——, Disposal of surplus services
Pre-1912, 421
Preservation and improvement
Generally, 428-30
Local self-government matter or police regulation? 428-30
State control over
See STATE CONTROL, Property preservation and improvement

PUBLIC PURPOSE
Generally, 1286-96
Attraction of industry as, 1295-96, 1304
Constitutional provisions, 1295-96
Compromise of claim as, 1296
Defense of official as, 1296
Definition, 1291
Equated to public use and welfare, 1291
Due process as source of limitation, 1286-87
Examples of, 1292-93
Factors in determining
Control over private use, 1295-96
Ideology, 1290
Passage of time, 1290
Private competition, 1294

Profit, 1294
Public benefit, 1293-94
Governmental units, as involved in disposal of municipal property to
See INTERGOVERNMENTAL RELATIONS, —— , Voluntary
Home Rule grant not an abolishment of limitation, 1287
Home Rule power equated to, 1288
Lack of power intermixed with, 1288-89
Legislative judgment matter, as, 1290, 1291, 1292
Moral obligation recognition as, 1296
Pre-1912, 1289
Property acquisition for, 422
Pre-1912, 422
Property disposal for, 434-35
Proprietary function as, 1291-92
Public utility relationship with, 1422
Utility power exercise as, 1390, 1419, 1446, 1472

PUBLIC SCHOOLS
See INTERGOVERNMENTAL RELATIONS, Subdivision-municipal; STATE CONTROL, Duties; STATE POWER, Exclusive and "STATEWIDE CONCERN," Exclusive state power

QUALIFICATIONS FOR AND TERMS OF OFFICE
Local self-government matter, as, 388-91
State control, immune from
Charter municipalities
See STATE CONTROL, Qualifications for and terms of office
State control over
Charter municipalities
See STATE CONTROL, Qualifications for and terms of office
Non-charter municipalities
See STATE CONTROL, Qualifications for and terms of office

RECALL
See REMOVAL OF OFFICERS

REMOVAL OF OFFICERS
Constitutional provisions, 397-98
Local self-government matter, as, 397
Recall distinguished from, 397
State control over
See STATE CONTROL, Removal of officers

SCHOOL DISTRICTS
See INTERGOVERNMENTAL RELATIONS, Subdivision-municipal and STATE SUBDIVISIONS

SELF-EXECUTING
Civil service power, 436
Home Rule powers
Absent charter, 55, 838, 1289
Absent statute, 15, 78
Initiative and referendum power, as inapplicable to, 484
Police regulations, 653, 654
Utility power, 1386-87, 1396
Contract for services, 1467
Rate fixing, 1477
Disposal of surplus services, 1459
Financing, 1442
Section 5 referendum, 1431

STATE CONTROL
Generally, 18, 20-22
See INTERGOVERNMENTAL RELATIONS and "STATEWIDE CONCERN"
Agents of state, by treating municipalities as, 78, 79, 740-41, 743
Annexation, by authorizing, 1519-21, 1523-24, 1550-51
Assessments against municipalities, by, 1528, 1529
Assessments, over
See ASSESSMENTS, State control
Authorization of municipal activities, by, 1558-60
Authorization to condemn municipal property, by, 1556-57
Civil service, over
Charter municipalities
Absent conflict with statute, 441-42
Adoption of statute, 440
Charter silence, 440, 452
Immunity from, 437, 438-40, 441, 444-45, 452
Commission regulations in conflict with statute, 442-43
Non-chartered municipalities, 440, 452, 454-55
Condemnation of municipal property, by, 82-83, 1508
Condemnation of municipal property, by authorizing, 1530-31, 1532, 1534-35, 1555-57
Contracts, over
See CONTRACTS, State control
Debt, over
See DEBT, State control
Denial of power, by,

Generally, 78
Express
See "GENERAL LAWS"
Implied
See PREEMPTION
Detachment, by authorizing, 1519-20, 1550-51
Duties, by imposing
See INTERGOVERNMENTAL RELATIONS, Subdivision-state and "STATEWIDE CONCERN"
Assessments, as to, 30
Courts, as to, 23, 30, 78, 1130, 1509 n.11
Extraterritorial power, as to, 42
"General law," as, 775
Local self-government, as to, 80, 81, 445, 475-77
Police power, through, 79, 80, 478, 1144, 1510
Public schools, as to, 30, 1509 n.11, 1536
Street maintenance, as to, 475-77, 1510, 1522-23
Street use protection, as to, 478
Taxation, as to, 1207-08
Elections, over
Charter municipalities
Adoption of statute, 393
Charter silence, 392
Immunity from, 391-92, 396-97
Non-charter municipalities, 392
Eminent domain, over
Charter Municipalities
Charter silence, 424-25
Immunity from 424-25, 1409
Employee welfare, over, 445-47, 461-64
Expenditures, over
See EXPENDITURES, State control
Failure to grant power ineffective as, 78
Government of municipalities, by providing for
Generally, 54-61
Constitutional background for, 57 n.11
Constitutional provisions, 54
Debt procedure, as to, 1269-70
Initial interpretation of, 55
Local self-government matters, as to, 56-60, 61, 453, 838
See Local Self-government
Planning provisions, as to, 829-30
Police regulations, as inapplicable to, 60-61
Procedural matters, as to, 58, 401, 838
Property disposal, as to, 1285
Section 723.01, *Ohio Revised Code* as a law for, 477-78
Structure of government, as to, 54-56, 385, 829-30, 831, 839
Substantive matters, as to, 56-57, 453
Utility power, as to, 402, 1394, 1398, 1442, 1450, 1451, 1452
Zoning, as to, 831
Immunity from
Charter municipalities, for
Initiative and referendum
See Initiative and referendum
Local self-government
See Local self-government and specific subjects
Constitutional background for, 50-52
Initiative and referendum, over
Charter municipalities
Adoption of state law, 63-64, 485
Chapter silence, 62, 484
Immunity from, 483, 484, 485, 498
Express provision needed, 62, 67, 485
Non-charter municipalities, 485, 487, 490, 498
Local self-government, over
Charter municipalities
Adoption of state law, 63-64
Charter silence, 62, 68-74
Immunity from, 47-48, 52-54, 56-60, 838, 839
Conflicting state statutes, 64-65
Express provision needed, 61-62, 65-66, 67-68, 836, 838
Silence or conflict, 68-74
Conflict with general laws provisions inapplicable as, 47
Non-charter municipalities
Absent variance from state law, 56-60, 61, 838-39
Conflict or variance as bases for, 74-77
Police regulations, over
See CONFLICT WITH GENERAL LAWS; PREEMPTION and "GENERAL LAWS"
Preemption, by
See PREEMPTION
Procedure, over
Assessments
See ASSESSMENTS, State control
Charter municipalities
Adoption of statute, 402
Charter silence, 402
Immunity from, 401
Statutory exemption of ordinances as basis for, 401
Non-charter municipalities, 402, 405
Utility power
See UTILITY POWER, Procedure and
——, Section 5 referendum
Zoning
Charter municipalities
Adoption of statute, 834
Immunity from, 401, 405, 837-39
Statutory exemption as bases for, 401, 405, 832, 833-35, 838
Non-charter municipalities, 823, 834, 838, 839
Property acquisition, over
Charter municipalities immune from, 421

Property disposal, over
Charter municipalities immune from, 433-34, 1284-86, 1545
Non-charter municipalities, 434, 1284-86
Utility facilities
Charter municipalities immune from, 1485
Non-charter municipalities, 1485
Property preservation and improvement, over, 429
Qualifications for and terms of office, over
Charter municipalities
Adoption of statute, 390
Immunity from, 388-91
Non-charter municipalities, 390
Regulation of municipalities, by, 79-80, 81-82, 741, 743, 1508
See INTERGOVERNMENTAL RELATIONS, State-municipal and "STATEWIDE CONCERN"
"General law," as, 775
Local self-government matter, as to, 79-80, 1543
Municipal utilities, as to, 79, 81, 1391, 1403-06, 1474-75, 1508-09, 1537
Municipal utilities contracts, as to
Abandonment or ouster, 848, 1468, 1480-82
Impairment of the obligation of contracts, 1481, 1482
Retroactive legislation, 1481
Removal of officers, as to, 399-400
Regulation of municipalities, by authorizing, 1542-43
Removal of officers, over
Art. II, §38, 399-400
Local self-government matter, as involving, 398
Plans for municipal government, by provisions in, 399
Police power, as involving, 399
Street establishment and vacation, over
Charter municipalities
Absent conflict, 471
Immunity from, 471-72
Street weight limits and improvements, over
Charter municipalities
Absent conflict, 473
Non-charter municipalities, 473-74
Structure of government, over
Charter municipalities
Adoption of statute, 386
Immunity from, 54-56, 385-86, 387, 445
Constitutional background for, 52
Non-charter municipalities, 385-86
Utility administration
Charter municipalities immune from, 1450-51
Non-charter municipalities, 1450, 1451, 1452-53, 1565
Zoning boards
Charter municipalities' immunity based on statute, 839
Non-charter municipalities, 839
Taxing municipalities, by, 83-84, 1190, 1502-03, 1504
See INTERGOVERNMENTAL RELATIONS, State-municipal and TAXING POWER
Exemption of proprietary functions, 83-84, 1401
Utility facilities, as to, 1401
Taxing municipalities, by authorizing, 1526-27, 1552
Taxing power, over
See TAXING POWER, State control
Utility power, over
See UTILITY POWER
Vacation of municipal streets, by authorizing, 1533, 1534-35
Withdrawal of municipal power, by, 808-10, 1519
See "STATEWIDE CONCERN"
Exclusive state power, as to, 809
Zoning of municipal property, by authorizing, 825, 1539-40

STATE GRANT OF POWER
Authority for, 835, 836
Charter adoption of, 86
Charter as bar to, 85-86
Condemnation of subdivision property, for
See INTERGOVERNMENTAL RELATIONS, Subdivision-municipal
Extraterritorial, 41-42
"General law," as, 774, 793-96, 799-803, 836
No bar as to
Home Rule, by, 84-85, 1397, 1556
Utility power, by, 1564-65
Unnecessary for
Home Rule, as to, 78, 829, 830-31, 839, 1396-97
Utility power, as to, 1564-65
Section 5 referendum, 1434

STATE POWER
See INTERGOVERNMENTAL RELATIONS, State-municipal; ——, Subdivision-municipal; STATE CONTROL and "STATEWIDE CONCERN"
Classification of municipalities, over, 30-31, 39
Eminent domain, of
See INTERGOVERNMENTAL RELATIONS, State-municipal and STATE CONTROL, Condemnation of municipal property

Employee welfare, over, 445-47, 461-64
Exclusive
Generally, 19
See "STATEWIDE CONCERN"
Annexation, as to, 28, 492-93, 1401-02, 1519-20, 1550
See ANNEXATION; INTERGOVERNMENTAL RELATIONS, Subdivision-municipal; STATE CONTROL and "STATEWIDE CONCERN," Exclusive state power
Conservancy districts, as to
See STATE SUBDIVISIONS
Courts, as to, 23-26
Civil service, 24, 458-59
Civil service appeals to, 458
Constitutional provisions, 23, 458
Creation, 23-24, 29
Hampering by municipalities rejected, 741-42, 1114, 1401
Imposition of duties with respect to
See STATE CONTROL, Duties
Jurisdiction, 24-25
Procedure, 25-26
Zoning injunction, 831, 839
Detachment, as to, 28, 1520, 1550
See DETACHMENT; INTERGOVERNMENTAL RELATIONS, Subdivision-municipal; STATE CONTROL and "STATEWIDE CONCERN," Exclusive state power
Duties imposed
See INTERGOVERNMENTAL RELATIONS, Subdivision-municipal; STATE CONTROL, Courts; ——, Extraterritorial; —— Public schools and "STATEWIDE CONCERN," Exclusive state power
Employee welfare, as to, 27, 462-64
Highways and bridges, as to, 28-29
Hampering by municipalities rejected, 742, 823, 1114, 1511, 1538-39
Public schools, as to, 26, 30, 1130
Hampering by municipalities rejected, 741-42, 1114, 1401
State elections, as to, 28
Withdrawal of municipal power as included within
See STATE CONTROL
Hampering by municipalities rejected as to, 20, 741-43, 1114
Incorporation of municipalities, to provide for, 28, 32, 1516
See INTERGOVERNMENTAL RELATIONS, Subdivision-municipal
Libraries, over, 27, 30
Extraterritorial power grant as, 42
Merger of municipalities, over, 28, 1520
Methods of exercise
Generally, 29-30
State instrumentalities, by creation of, 29, 30, 1516-19, 1565
See INTERGOVERNMENTAL RELATIONS, Subdivision-municipal and STATE SUBDIVISIONS
Pension funds, over, 30
Plans of municipal government, to provide for, 32
Police Power
Contracts, as to
See CONTRACTS, State control
Duties imposed
See INTERGOVERNMENTAL RELATIONS, Subdivision-municipal; STATE CONTROL, Duties and "STATEWIDE CONCERN," State retained police power
Hampering by municipalities rejected as to, 742-43, 1114
Not exclusive, as 740
Regulation of municipalities included within
See INTERGOVERNMENTAL RELATIONS, State-municipal; STATE CONTROL and "STATEWIDE CONCERN," State retained police power
"General law," as, 804
Retention of, 740, 1508, 1542
See "STATEWIDE CONCERN"
Utilities regulation as
Line abandonment or ouster, 847-48, 1480-81, 1482-84
See STATE CONTROL, Regulation of municipalities
Line location, 847, 1469
Rate fixing, 842
Withdrawal of municipal power as
See STATE CONTROL and "STATEWIDE CONCERN," State retained police power
Zoning as, 824-25, 833, 837, 1135, 1537
Subdivisions, over, 29-30, 1516-19, 1565
See INTERGOVERNMENTAL RELATIONS, Subdivision-municipal and STATE SUBDIVISIONS
Taxation, of
See INTERGOVERNMENTAL RELATIONS, State-municipal and STATE CONTROL
Transition from villages to cities, to provide for, 31
Utility power, 1391, 1402, 1468, 1519

STATE SUBDIVISIONS
See INTERGOVERNMENTAL RELATIONS, Subdivision-municipal
Conservancy districts
Instruments of state authority, as, 30
State power to create, 26, 1130, 1517-18
Constitutional provisions, 26, 1518
Counties
Home Rule for, 1517

State power to create and govern, 1516
Constitutional provisions, 1516-17, 1519
Ditch improvement districts creation as within state power, 1518
Health districts
See "STATEWIDE CONCERN," Health
Municipal support of, 1120, 1141
State power to create, 1518
Instruments of state authority, as, 29-30
Joint township hospital districts creation as within state power, 1518
Library districts as instruments of state authority, 30
Metropolitan housing districts
Instruments of state authority, as, 30
State power to create, 1518
Metropolitan park districts creation as within state power, 1518
Regional airport authorities creation as within state power, 1519
School districts as instrument of state authority, 30
State power to create, 1516-19, 1565
Townships as under state control, 1516

"STATEWIDE CONCERN"
See INTERGOVERNMENTAL RELATIONS, State-municipal; ——, Subdivision-municipal; STATE CONTROL and STATE POWER
Airports as, 767, 1134-36, 1401-02
Areas of application
Generally, 1128-29
Miscellaneous, 1156-57
Constitutional background for, 1106
Exclusive state power as, 1108, 1108-09, 1110, 1112, 1114-17, 1117-19, 1119-20, 1128, 1129-31, 1131-32, 1150-52, 1153
See STATE POWER
Annexation and detachment, 1118-19, 1133-34, 1153, 1401-02, 1519-20, 1550
Conservancy districts creation, 1130
Courts, 1129
Civil service, 458-59
Civil service appeals to, 458
Duties imposed, 1120, 1130
See INTERGOVERNMENTAL RELATIONS, Subdivision-municipal; STATE CONTROL, Courts; ——, Extraterritorial and ——, Public schools
Employee welfare authority conferred by Art. II, §34, 27, 445-47, 462-64, 1130, 1131
"General laws" as inapplicable to, 804, 1150
Highways and bridges, 481, 1131-32, 1511, 1538-39
Public schools, 1130
Regulation of municipalities, 1130
State elections, 1130
"General laws" as affected by, 803-08
Health regulation as, 447, 456, 765-66, 767, 1120, 1140-44, 1155, 1406, 1541
Historical development of, 1106-07
Independent theory of, 1108, 1109, 1128, 1151-52, 1155, 1156-57
Generally, 1121-22
Conflict with general laws, 376, 446, 448, 767, 1110, 1135, 1137, 1138, 1144, 1157
Denial of municipal power, 1113, 1121-22, 1154, 1155
Duties imposed, 78-79, 80-81, 446, 1111, 1120, 1139-40, 1145, 1406, 1509-10
Enhanced state power, 1109-10, 1112-13, 1121, 1123, 1128, 1138, 1140, 1148, 1152, 1156
Extraterritorial effects as a factor in, 369-70, 1112, 1125-28, 1133-34, 1143, 1145-48, 1152-53, 1154-55
Fact or fiction, 1108-11, 1144
"General laws" as affected by, 804-08
Home Rule as affected by, 376, 448-49, 1108, 1111, 1112, 1113, 1121, 1126, 1128, 1134, 1143, 1155
Preemption by state law, 765-68, 1111, 1135, 1144, 1156
Significance of, 1112-13
Subject matter division, 1122-24, 1152
Territorial application as a factor in, 1124-28, 1133, 1152, 1153-54
Withdrawal of municipal power, 449, 808-10, 847, 1110, 1140, 1144, 1151
Intergovernmental immunity, compared with, 1116, 1132, 1135-36, 1535
Local self-government outer limits as, 1108, 1109, 1112, 1117-19, 1127-28, 1133
Extraterritorial effects as a factor in, 43-44, 369-70, 1118, 1127, 1133
Police and fire departments as, 445-50, 1136-40
Civil service, 447-50, 1137
Court appeals, 457-58
Employee welfare, 445-47, 1138
Police regulations outer limits as, 376, 449, 1108, 1109, 1112, 1119-20, 1128, 1140, 1147-48, 1152
Possible meanings of, 1107-08, 1108-09
Significance of, 1111-13
State retained police power as, 376, 1108, 1109, 1112, 1116-17, 1128, 1135, 1141, 1142, 1145
See INTERGOVERNMENTAL RELATIONS, State-municipal; ——, Subdivision-municipal; STATE CONTROL, Regulations and STATE POWER
Duties imposed, 1117, 1140, 1141
See INTERGOVERNMENTAL RELATIONS, Subdivision-municipal and STATE CONTROL, Duties
"General laws" affected by, 804

Withdrawal of municipal power, 1117, 1141-43, 1144
State retained power as, 1134-35
Structure of government as affected by, 1136
Utilities regulation as, 847, 1144-48
Cleveland Elec. Illuminating Co. v. City of Painesville, 1148-56

STATUTE OF LIMITATIONS
Exclusive state power, as, 25, 1248

STREETS
Generally, 464-70
Establishment and vacation,
Generally, 470-72
Local self-government matter, as, 470-71, 1533
State control, immune from
Charter municipalities
See STATE CONTROL, Streets
State control over
Charter municipalities
See STATE CONTROL, Streets
Subdivision vacation
See INTERGOVERNMENTAL RELATIONS, Subdivision-municipal
Extraterritorial effects, as having, 465, 468
Limitations on control of
Generally, 478-81
Abutting owners' rights, 480, 817, 818, 821
Public's right to travel, 479-80, 820
State control over highway system
See STATE POWER, Exclusive and STATEWIDE CONCERN, Exclusive state power
State control over street assessments, 481
Street purpose uses, 479, 1498
Local self-government matter, as, 465-67
Maintenance
Duty of as state imposed, 475-77
Tort liability for failure to perform, 1522-23
Local self-government matter, as, 476, 1468-69
Ownership of, 1533
Police regulations as applied to
See POLICE REGULATIONS
Duty imposed to protect use, 478
Pre-1912, 465
Section 723.01, *Ohio Revised Code*
Generally, 475-78
Government of municipalities, as provision for, 477-78
Power conferring measure, unnecessary as, 476
State's interest in, 465
Weight limits and improvements
Generally, 472-75
Discrimination as to, 475
Local self-government matter, as, 472-74
Reasonableness of, 475
State control over
Charter municipalities
See STATE CONTROL, Streets
Non-charter municipalities
See STATE CONTROL, Streets

STRUCTURE OF GOVERNMENT
Charter as means of establishing, 35
Local self-government matter, as, 385-88, 1247, 1450, 1452
Plans of government, as state provided in, 32-33
State control, immune from
Charter municipalities
See STATE CONTROL, Structure of government
Constitutional background, 15, 52, 385
State control over
Charter municipalities
See STATE CONTROL, Structure of government
Non-charter municipalities
See STATE CONTROL, Structure of government
State control over taxes as affecting, 1181
"Statewide concern" as affecting
See "STATEWIDE CONCERN"

TAXING POWER
Generally, 407-13
Constitutional provisions, 1158
Federal government, of
See INTERGOVERNMENTAL RELATIONS, Federal-municipal
Governmental units as subject to
See INTERGOVERNMENTAL RELATIONS
Governmental units, of
See INTERGOVERNMENTAL RELATIONS
Income tax, 410, 1227-30, 1233-48
Administration of, 1247-48
Advantages of, 1233-34
Classification within, 1242-44
Double taxation by, 1241-42
Effectiveness of, 1236
Government employees as subject to
See INTERGOVERNMENTAL RELATIONS, Federal-municipal, Derivative immunity ——, State—Municipal, Derivative immunity
Limitations on
Discrimination, 1240, 1241, 1242-43
Due process, 1238-39, 1490, 1501
Impairment of the obligation of contracts, 1243-44
Non-residents, as applied to, 1237-40, 1490, 1501, 1552
State control over
See State Control
Statute of limitations for, 1248

Types of income subject to, 1240-41
Uniform rate for, 1237
Voter approval of, 1244-46
Limitations on
Generally, 1182-87
Discrimination, 1183-85, 1240, 1241, 1242-43
Due Process, 1185-86, 1187, 1211, 1238-39, 1490, 1501
Federal constitution commerce clause, 1183
Public policy, 1183, 1246
Public purpose
See PUBLIC PURPOSE
Territorial, 1186, 1187
Local self-government matter, as, 407-09, 410, 1158, 1216, 1234
Property taxes
Constitutional limitations on, 1187-1201
Constitutional provisions, 1187-88
Scope of, 410, 1159
Source of, 1158
State control over
Amount, 411-12, 1203-04, 1205, 1216-17
Art. XVII, §6; art. XVIII, §13 as basis for, 411, 1201-08
Charter and non-charter municipalities, as to, 411, 1244
Constitutional background for, 1205 n.19
Constitutional provisions, 409
Duty to tax imposed as, 1207-08
Fiscal records, 1205
Constitutional provisions, 1205
Impairment of the obligation of contracts as limiting, 1198, 1207-08
Income tax restraints of Chapter 718 *Ohio Rev. Code*, 1235, 1236, 1237, 1239, 1240, 1241, 1242, 1244, 1245, 1246, 1248
Permission to tax as, 1210, 1211, 1213, 1214-15, 1221, 1222, 1230, 1231-32, 1236
Preemption, 412, 1156
Generally, 1208-21
Constitutional basis for, 759, 1208, 1209-10, 1216, 1217, 1218, 1219-20
Express, 412, 1204, 1206, 1208, 1229, 1235
Critique of, 1213-14, 1221
State created immuinty from municipal taxes as
See INTERGOVERNMENTAL RELATIONS, State-municipal
Implied, 412, 1204, 1206, 1208-15, 1235
Admission tax, 1230-32
Constitutional provision by, 1216, 1222, 1227, 1234
Critique of, 1212-13, 1214-15, 1221
Development of, 1216-21
Double taxation as basis for, 1209, 1210-11, 1221, 1225, 1228, 1230, 1241-42
General Assembly acceptance of, 1220-21
Income tax, 1216, 1222, 1227-30, 1234, 1235-36
v. Gross receipts tax, 1228, 1235
v. Intangible property tax, 1229, 1235
v. Real property tax, 1227, 1230, 1236
v. Sales tax, 1128-29, 1235
Legislative intent as basis for, 1209, 1210
Miscellaneous taxes, 1232-33
Negative implication as basis for, 1231
Occupation tax, 1225-27
Rationale as initial basis for, 1217, 1218-19
"Same" or "similar" taxes, 1209, 1211-12, 1221, 1223-26, 1228, 1231
Economic impact of, 1223, 1230
Legal incidence of, 1223, 1224, 1226, 1231, 1232
Measure of, 1223, 1229, 1230
Subject matter of, 1223, 1226, 1227, 1229, 1230, 1231, 1233
Significance of, 1212
Property taxes, 1187-1201
Exemptions, 1190-96, 1504, 1524, 1552
Exclusive public use, 1191, 1192, 1194-95, 1196, 1498
Proprietary capacity, 1192-93, 1194, 1396, 1397
Ten-mill limitation, 1197-1201
OHIO CONST. art. XIII, §6; art. XVIII, §13 as former basis for, 1200-01
Utility charges, as violation when excessive, 1177, 1200
Waiver by charter, 1197, 1200
Waiver by voters, 1197
Uniformity requirement, 1188-96
Assessments, as inapplicable to, 1189-90
Purpose of, 410
Purposes for taxing, 411, 1204-05, 1216, 1224
Tax and utility charge compared, 1206
Retroactive legislation bar as limiting, 1208
State, of
See INTERGOVERNMENTAL RELATIONS, State-municipal and STATE CONTROL
Subdivisions, of,
See INTERGOVERNMENTAL RELATIONS, Subdivision-municipal
Tax or assessment determination, 1182
Tax or license fee determination
Generally, 1161-69
See POLICE REGULATIONS, License

Amount of exaction, 1165, 1166-68
Labels, 1165
License defined, 1164-65
Purpose of exaction, 1164, 1165, 1166
Significance of, 1161-64
Use of exaction, 1166, 1168-69
Tax or utility charge determination
Generally, 1170-81
Amount of exaction, 1171
Diversion of funds, 1172, 1174-76
Labels, 1175
Purpose of exaction, 1171, 1176-77
Reasonableness of exaction, 1171, 1172, 1173n.15, 1176, 1178, 1457-58
Significance of, 1170, 1181
State control, as, 1172-73
Structure of government as affected by, 1181
Tax defined, 1170-71
Tax on water users barred, 1179
Ten-mill limit as violated, 1177, 1200
Transferral of funds statutes, 1178
Trust approach as basis for, 1177, 1456
Utility charge defined, 1170-71
Utility power as affected by, 1179-81, 1394, 1402, 1417-18, 1446, 1448, 1457, 1472

TERRITORIAL LIMITS OF MUNICIPAL POWER
Generally, 39-44, 1537, 1545, 1562
Constitutional provisions, 39-40
Local self-government matters, 40, 42-44, 367-69, 427, 825, 1127, 1134, 1540
Property acquisition, 427-28, 1460
Police regulations, 39, 40, 654, 824, 1154
Pre-1912, 40
State power to expand, 41, 1537-38
Taxing power, 1186, 1187
Utility power, 1562
Acquisition, 427-28, 1389-90, 1425, 1427, 1458-59
Eminent domain, by, 1427, 1460, 1529-30, 1552
Disposal of surplus services, 1389, 1458, 1459, 1545, 1557
Operation and maintenance, 1448, 1448, 1557

TOWNSHIPS

See INTERGOVERNMENTAL RELATIONS, Subdivision-municipal and STATE SUBDIVISIONS

TRANSITION OF VILLAGES TO CITIES
Civil Service concerns, 443
Not automatic, 31
Retention of office after, 31
Statutory provisions for, 31

UTILITY POWER
Acquisition
Generally, 419, 1160-61, 1424-31
Constitutional background for, 1384, 1428-29
Constitutional provisions, 419, 1160-61, 1425, 1429, 1430
Construction of facilities, by, 1430-31
Eminent domain, by, 1389, 1409, 1427-28, 1529-30, 1552
Constitutional provisions, 422-23, 1409, 1427, 1529-30, 1552
Local self-government v. utility power, 1549-50, 1552-53
Municipal property, of
See INTERGOVERNMENTAL RELATIONS, Intermunicipal, Condemnation
Territorial limits of, 1427, 1460, 1529-30, 1552
Unimproved property, 1428, 1430
Estoppel, by, 1430
Impairment of the obligation of contracts as protection for, 1416
Initiative and referendum as applied to, 489
Intermunicipal cooperation in
See INTERGOVERNMENTAL RELATIONS, Intermunicipal, Voluntary
Lease, by, 1430
Constitutional provisions, 1430
Purchase, by, 1429
Constitutional provisions, 1429
Regulation by other municipalities of
See INTERGOVERNMENTAL RELATIONS, Intermunicipal
Repair and expansion distinguished from, 1426
Scope of power, 1388, 1425
Section 5 referendum as applied to, 489-90, 1410, 1429-30, 1432, 1434
State control over, 1409-10, 1425
Statute, by, 1430
Territorial limits of, 427-28, 1389-90, 1425, 1427, 1458-59
Charter or non-charter municipalities, as possessed by, 1388, 1398
Charter, use to conform to, 1419
Constitutional background for, 15, 1382-86, 1392
Contract for services
Generally, 419, 1161, 1466-75, 1562
Arbitration provisions, 1471-72, 1478
Binding effect of, 1471
By ordinance, 1470-71
Constitutional provisions, 419, 1160-61, 1411, 1466, 1562
Duration of
See Termination of services
Initiative and referendum as applied to, 489

Limitations on
Discrimination, 1472, 1563-64
Lending of credit
See LENDING OF CREDIT
Public purpose
See PUBLIC PURPOSE
Local self-government matter distinguished from, 1469
Modification of, 1471
Nonexclusive, as, 1468
Police regulations distinguished from, 841, 1393-94, 1407-08, 1468-69, 1473, 1479
Pre-1912, 1466-67
Proprietary nature of, 1474
Protections
Due process, 1473-74
Impairment of the obligation of contracts, 1416-17, 1473-74
Public utility, with, 1469-70
Rate fixing
Generally, 1475-79
Arbitration provisions, 1478
Binding effect of, 1478
Collection procedure, 1478-79
Constitutional background for, 1476
Constitutional provisions, 1475
Initiative and referendum as inapplicable to, 1478
Limitations on
Discrimination, 1478-79
Due process, 1417, 1478
Police regulations distinguished from, 841, 1393-94, 1407-08, 1468-69, 1473, 1479
Pre-1912, 1475-77
Section 5 referendum as applied to, 1432, 1478
Self-executing, as, 1477
Source of power, 1475, 1477
State control over, 419, 1393, 1412-13, 1468, 1477, 1564
Scope of power, 1389, 1467
Section 5 referendum as applied to, 489, 1432, 1470
Self-executing, as, 1467
State control over, 1411-14, 1467-69, 1470, 1471, 1475
Abandonment or ouster
See STATE CONTROL, Regulation of municipalities
Procedure, 1473
Termination of
See Termination of service
Terms of, 1471-72
Disposal of surplus services
Generally, 1458-66, 1562
Constitutional background, for, 1384-85, 1458
Constitutional provisions, 1458, 1562
Contract and franchise rights by estoppel, 1460, 1461, 1563
Contract, by, 1461, 1464, 1545
Discretion in, 1463-64
Eminent domain for, 1429, 1460, 1529-30, 1552-53
Government units, contracts with
See INTERGOVERNMENTAL RELATIONS, Intermunicipal, Voluntary and ——, Subdivision-municipal, Voluntary
Limitations on
Discrimination, 1461, 1463-64, 1563-64
Due process, 1461-62, 1463
"Fifty percent," 1464-66
Computation of, 1465
Constitutional background for, 1464-65
Constitutional provisions, 1464
"Outside" municipality, 1466
Purpose of, 1464
Lending of credit
See LENDING OF CREDIT
Proprietary nature of, 1459, 1462-63
Rate fixing
State control over, 1412-13, 1462, 1564
Regulation by another municipality
See INTERGOVERNMENTAL RELATIONS, Intermunicipal
Section 4 powers as interlinked with, 1459
Self-executing, as, 1459
State control over, 1462, 1545
"Surplus" defined, 1458
Termination of contracts for
See Termination of services
Territorial limits of, 1389, 1458, 1459, 1545, 1557
To whom, 1459
Due process as protection for, 1417, 1456, 1473-74
Financing
Generally, 1441-47
Assessments, by, 1441, 1445
See ASSESSMENTS
Limitations on
Discrimination, 1445
Due process, 1445
Changes, by, 1441-42, 1445-46
Constitutional background for, 1385
General obligation bonds, by, 1441, 1443-44
Constitutional provisions, 1441
Debt creation, 1399, 1443
Indirect limit, 1444, 1444
State control over, 1443-44
Procedure, 1444-45
Government of municipalities power as possible basis for
See DEBT, State control
Purpose for issuing, 1444
Mortgage revenue bonds, by, 1441, 1442-43, 1444-45
Constitutional provisions, 416, 1255-56,

1426, 1431
Facilities as subject to, 1426
Limitations on
Indirect limit exemption, 1256, 1262, 1442
Lending credit
See LENDING CREDIT
Non-debt, 417, 1256, 1258, 1399, 1409, 1442
Section 5 referendum as applied to, 1444
Self-executing, as, 1442
State control over
Immunity from, 417, 1256, 1266, 1399, 1409, 1442-43
Procedure, 1268-69, 1409, 1442-43
Public purpose as limitation on
See PUBLIC PURPOSE
State control, immune from, 1441
Governmental units, as used in cooperation with
See INTERGOVERNMENTAL RELATIONS, Intermunicipal, Voluntary
Limitations on
Discrimination, 1418-19
Impairment of the obligation of contracts, 1416, 1473-74
Lending of credit,
See LENDING OF CREDIT
Public purpose
See PUBLIC PURPOSE
Reasonableness, 1416
Local self-government power distinguished from, 1391-92, 1398-99, 1406-07
Operation and maintenance
Generally, 1447-52
Administrative regulations for, 1451
Administrative structure for, 1450-51
State control over, 1450-51, 1452-53, 1565
Government of municipalities authority as basis for, 1450, 1452
See STATE CONTROL
Local self-government control compared with, 1450
Constitutional provisions, 1447
Contracting, 1448
Contracts and cooperation with municipalities for
See INTERGOVERNMENTAL RELATIONS, Intermunicipal, Voluntary
Employee relations, 1452
Proprietary nature of, 1395-96, 1427-28, 1447, 1558
Tort liability
See LIABILITY, MUNICIPAL
Rate fixing
Generally, 1452-58
By whom, 1452-53
State control over, 1452
Discretion over, 1454-55, 1456
Limitations on
Consumer interest, 1455-56, 1457
Discrimination, 1454
Reasonableness, 1417, 1454, 1457-58
Section 5 referendum as applied to, 1453
State control over
Free service required as, 1455
Immunity from, 1453
Surplus control not as, 1457
See TAXING POWER, Tax or utility charge determination
Waiver of rates, 1455
Regulation by other municipalities of
See INTERGOVERNMENTAL RELATIONS, Intermunicipal
Repair and expansion, 1426, 1449
Initiative and referendum as applied to, 490, 1433
Section 5 referendum as inapplicable to, 490, 1425-26, 1432-33, 1449
Scope of power, 1388-89, 1447-48
State control over, 1413-14, 1449-52
Territorial limits of, 1448, 1448, 1557
Permissive, as, 1388, 1406
Police regulations power distinguished from, 1392-93, 1407
Police regulations v. utility power, 1549-50, 1558
Pre-1912, 1382-84, 1385
State control over, 1385
Privately owned public utilities as subject to regulation
See POLICE REGULATIONS, Utility regulations; STATE POWER, Police power
Procedure
Generally, 1431-40
Charter as imposing, 1435-36
Initiative and referendum as applied to, 489-90
Section 5 referendum
See Section 5 referendum
State control over, 401, 402, 1409-10, 1435
Proprietary nature of, 1553
Public utility
Definition, 1419-24, 1469-70
Constitutional background for, 1384
Constitutional provisions, 1421
Examples, 1422-24, 1553
Public purpose relationship with, 1422
Facilities as comprising, 1424
Rate fixing
See Contract for services, Disposal of services and Operation and maintenance
Scope of, 1386-96
Section 5 referendum
Generally, 1431-40
Acquisition, as applied to, 489-90, 1429-30, 1432, 1434
Charter adoption procedures as applied

to, 1434, 1436-37
Charter conflicts with, 1436
Charter restrictions upon, 1435-36, 1470, 1478
Constitutional provisions, 1431
Construction of, 1432
Contracts for service, as applied to, 1432, 1470
Rate fixing, 1432, 1478
Disposal of facilities, as inapplicable to, 490, 1434, 1486
Exclusive procedure, as, 1431-32
Initiated ordinance as affected by, 488-89, 1436
Mandatory, as, 1438
Mortgage revenue bonds ordinance, as applied to, 1444
Operation and maintenance, as applied to rate fixing, 1453
Ordinance subject to, 1437-38, 1444-45
Ordinances subject to repeal after referendum, 1439
Procedural requirements of, 1439-40
Constitutional provisions, 1434, 1436-37, 1439-40
Repair and expansion, as inapplicable to, 490, 1425-26, 1432-33, 1449
Self-executing, as, 1431
State control over, 1410, 1434-35
State grant of power as unnecessary, 1434
Self-excuting, 1386-87, 1396
Source of, 1388
State control over
See STATE CONTROL
Constitutional background for, 1385-86
Denial of power rejected, 1397-98
Government of municipalities power as basis for
See STATE CONTROL
Immunity from 1397-1400, 1408-14
Charter and non-charter municipalities, 1398
Purposes for which funds are used, 1402, 1409
Local self-government control distinguished from 1398-99
"No conflict" test as inapplicable as, 1392, 1398, 1399
Constitutional background for, 1385, 1392
Police power as basis for
See INTERGOVERNMENTAL RELATIONS, State-municipal; STATE CONTROL, Regulation of municipalities and "STATE-WIDE CONCERN," Retained police power
"Statewide concern" matter as affecting, 1401-02, 1405-06, 1408
Duties imposed, 1406
Taxation, by
See INTERGOVERNMENTAL RELATIONS, State-municipal; STATE CONTROL, Taxing municipalities and TAXING POWER
Tax control authority to limit utility charges, by using
See TAXING POWER, Tax or utility charge determination
State grant not barred by, 1565
State grant unnecessary for, 1396-97, 1564-65
State retained power not curtailed by, 1391, 1401-02, 1468, 1519
State retained utility power
See STATE POWER
Tax control authority of state as affecting
See TAXING POWER, Tax or utility charge determination
Termination of services
Generally, 1479-86
Abandonment or ouster, 1480-84
See POLICE REGULATIONS, Utilities regulations; STATE CONTROL, Regulation of municipalities; STATE POWER, Police power
Disposal of facilities
See PROPERTY, Disposal and STATE CONTROL, Property disposal
Service contracts duration, 1461, 1472, 1479-80, 1563
Reasonableness as limitation on, 1480
State control over, 1479
Territorial limits of, 1562
Utility charge or tax
See TAXING POWER, Tax or utility charge determination

VARIANCE FROM STATE LAW
Local self-government
Civil service, 454
Conflict contrasted from 74-77
Definition, 74-77
Prohibition established for non-charter municipalities, 56-60

ZONING
Asethetic considerations in, 826
Conflict with general laws, 828-29
See CONFLICT WITH GENERAL LAWS
Waived by statute, 832, 835-36, 839
Governmental units, property of
See INTERGOVERNMENTAL RELATIONS, Subdivision-municipal
Limitations on, 823-27
Delegation of authority for, 823-24
Due Process, 825-27
Retroactive legislation, 827, 834
Liquor regulations, as, 828-29
Conflict with general laws
See CONFLICT WITH GENERAL LAWS, "Head-on collision" test

Preemption by state law
See PREEMPTION, Police regulations
Municipal administrative boards
State control over
See STATE CONTROL, Structure of government
Police regulations, as, 658, 821-22, 832
Procedure, 822-23, 831-32, 833-35, 837-39, 1537
Local self-government matter, as, 837-39
State control over
See STATE CONTROL, Procedure
Source of power, 821-23, 830
State control over
See CONFLICT WITH GENERAL LAWS: STATE CONTROL, Government of municipalities; ——, Procedure; ——, Structure of government and STATE POWER, Exclusive, Courts
Statutory grant unnecessary as to, 830-31, 839
State power of
See STATE POWER, Police power
Statutory provisions for, 830
"General laws, " as, 831, 832-33, 836-37, 839
Police power measures, as, 833, 837
Subdivision power of
See INTERGOVERNMENTAL RELATIONS, Subdivision-municipal
Territorial limits of, 824

VOLUME INDEX

TITLE INDEX TO LEADING ARTICLES

PAGE

ARBITRATION OF MEDICAL MALPRACTICE INSURANCE CLAIMS, *Robert Coulson* 507
COMPULSORY ABORTION: NEXT CHALLENGE TO LIBERATED WOMEN, *George A. Swan* 152
EUTHANASIA AND THE RIGHT TO DIE, *Rowine Hayes Brown and Richard B. Truitt* 615
MEDICAL MALPRACTICE AND THE LAW SYMPOSIUM—DOCTORS AND LAWYERS: WE'RE SPECIALIZED—BUT ARE WE CIVILIZED? *Dr. John H. Budd* 501
THE MEDICAL MALPRACTICE INSURANCE CRISIS, *Dr. Judith A. Gouldin and Paul C. Gouldin* 510
MUNICIPAL HOME RULE IN OHIO, *George D. Vaubel* ..... 1, 355, 643 / 1099, 1382
OHIO LANDLORD TENANT ACT OF 1974, *Albert A. Baillis* 122
THE OHIO OPEN MEETING STATUTE AS APPLIED TO PUBLIC SCHOOL BOARD ACTION: A PROPOSED ALTERNATIVE, *Marc I. Steinberg* 176
THE "RIGHT" TO APPEAL IN THE UNITED STATES: ELUSIVE OR ILLUSORY? *Judge Arlin M. Adams* 345
THE SOLZHENITSYN CASES: THE RUSSIAN AUTHOR AND WESTERN COPYRIGHT LAW, *Richard E. Bennett* 87

AUTHOR INDEX TO LEADING ARTICLES

ADAMS, JUDGE ARLIN M. - *The "Right" to Appeal in the United States: Elusive or Illusory?* 345
BAILLIS, ALBERT A. - *Ohio Landlord Tenant Act of 1974* 122
BENNETT, RICHARD E. - *The Solzhenitsyn Cases: The Russian Author and Western Copyright Law* 87
BROWN, ROWINE HAYES AND TRUITT, RICHARD B. - *Euthanasia and the Right to Die* 615
BUDD, DR. JOHN H. - *Medical Malpractice and the Law Symposium: Doctors and Lawyers: We're Specialized—But Are We Civilized?* 501
COULSON, ROBERT - *Arbitration of Medical Malpractice Insurance Claims* 507
GOULDIN, DR. JUDITH A. AND GOULDIN, PAUL C. - *The Medical Malpractice Insurance Crisis* 510
STEINBERG, MARC I. - *The Ohio Open Meeting Statute As Applied to Public School Board Action: A Proposed Alternative* 176
SWAN, GEORGE A. - *Compulsory Abortion: Next Challenge to Liberated Women* 152
VAUBEL, GEORGE D. - *Municipal Home Rule in Ohio* ..... 1, 355, 643 / 1099, 1382

SURVEY REPORT

REPORT ON MANDATORY CONTINUING LEGAL EDUCATION IN OHIO 915

TITLE INDEX TO COMMENTS

SUBJECT MATTER JURISDICTION IN TRANSNATIONAL SECURITIES FRAUDS 1305
THE UNIVERSAL COPYRIGHT CONVENTION AND THE PROBLEM OF COMMUNITY ANTENNA TELEVISION SYSTEMS 535
VIDEOTAPE: PRERECORDED TRIALS—A PROCEDURE FOR JUDICIAL EXPEDIENCY 849

CASENOTES

Breed v. Jones: DOUBLE JEOPARDY IN THE CONTEXT OF JUVENILE PROCEEDINGS—WHO SAYS ONCE IS NOT ENOUGH? 588
Goldfarb v. Virginia State Bar: APPLICABILITY OF THE SHERMAN ACT TO MINIMUM FEE SCHEDULES 576
Michigan v. Mosley: MULTIPLE INTERROGATION SESSIONS—A GREATER BURDEN ON THE SUSPECT TO REMAIN SILENT 1332
O'Connor v. Donaldson: A RIGHT TO LIBERTY FOR THE NONDANGEROUS MENTALLY ILL 550
Train v. National Resources Defense Council, Inc.: A JUDICIAL RESTRAINT ON THE CLEAN AIR AMENDMENTS OF 1970 563

OHIO COURTS REVIEW

City of Columbus v. Fraley: VALIDITY OF USING FORCE TO RESIST UNLAWFUL ARREST 183
Driscoll v. Austintown Associates: DECLARATORY JUDGMENT IN ZONING CASES 610
In re Horvath: RELEASE FROM INCOMPETENCY COMMITMENT—THE NECESSITY FOR PROCEDURAL SAFEGUARDS 198
Kohlmayer v. Keller and *Columbia Gas Co. v. Sommers:* DETERMINATIVE TEST IN ALLOWING WORKMEN'S COMPENSATION FOR EMPLOYEE RECREATIONAL INJURIES 1345
Shelby Mutual Insurance Company v. Smith and *Amended Senate Bill No. 25:* RE-EVALUATING PUBLIC POLICY AND UNINSURED MOTORIST COVERAGE—WHY "UNDERINSURED" PROTECTION IS NECESSARY 1355
State v. Grose: THE RIGHT OF THE ACCUSED TO THE BREATHALIZER TEST AMPOULE 1338
State v. Hester: MULTIPLE DAYS IN COURT? 1364
State v. Miller: THE USE OF HEARSAY IN PROBATION REVOCATION HEARINGS 604
Tanner v. Loyal Order of Moose: UNINCORPORATED ASSOCIATIONS ARE LIABLE FOR INJURIES TO THEIR MEMBERS 903
Wetzel v. Weyant: TEMPORARY ABSENCE FROM STATE TOLLS STATUTE OF LIMITATIONS 190

CASE INDEX

This is a table of the primary cases treated by Notes in Volume III.

Breed v. Jones 588
Columbia Gas Co. v. Sommers 1345
City of Columbus v. Fraley 183
Driscoll v. Austintown Associates 610
Goldfarb v. Virginia State Bar 576
In re Horvath 198
Kohlmayer v. Keller 1345
Michigan v. Mosley 1332
O'Connor v. Donaldson 550
Shelby Mutual Insurance Company v. Smith 1355
State v. Grose 1338
State v. Hester 1364
State v. Miller 604
Tanner v. Loyal Order of Moose 903
Train v. National Resources Defense Council, Inc. 563
Wetzel v. Weyant 190